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JOURNAL

OF THE

NINTH REGULAR SESSION

OF THE

HOUSE OF REPRESENTATIVES

OF THE

LEGISLATIVE ASSEMBLY OF OREGON TERRITORY.

COMMENCING DEC. 7, 1857.

THE EIGHTY-SECOND YEAR OF THE INDEPENDENCE OF THE UNITED STATES.

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JOURNAL OF THE HOUSE.

MONDAY, DECEMBER 7, 1857

PURSUANT to law, the ninth regular session of the House of Representatives of the Territory of Oregon was convened, this day, at Salem, in said Territory.

The House was called to order, by Mr. Gates.

On motion of Mr Butler,
Mr Gates was appointed Speaker, *pro tem.*, and Chas. B Hand, Clerk, *pro tem*

On motion,
That a committee of three be appointed, to examine and report on credentials, and report at 10 o'clock, to-morrow morning

The Speaker appointed Messrs. Butler, of Polk, Spear, of Josephine, King, of Multnomah, said committee

On motion,
The House adjourned, to meet to-morrow morning, at 10 o'clock.

TUESDAY, DECEMBER 8, 1857

House met, pursuant to adjournment.
The proceedings of yesterday read and approved

Committee on credentials, by their chairman, Mr. Butler, made the following report, to-wit:

The committee on credentials, appointed to report who are duly returned as members of this House, beg leave to report the following members:

Marion County—Jacob Woodsides, George M. Able, Eli C. Cooley.
Benton County—Reuben C. Hill, Jas. H. Slater
Lane County—John Whiteaker, J. W. Mack.
Polk and Tillamook—Benjamin F. Hayden.
Polk County—Ira F. M. Butler.
Yamhill County—Andrew J. Shuck, William Allen.
Clatsop County—Joseph Jeffers.
Clackamas County—George Rees, F. A. Collard, S. P. Gilliland.
Washington and Multnomah—Thomas J. Dryer.
Multnomah County—Wm. M King
Washington County—H. V. V. Johnson.
Columbia County—Francis M. Warren.
Wasco County—N. H. Gates.
Umpqua County—James Cole.
Douglas County—Albert A. Matthews.
Coos and Curry—T. G. Kirkpatrick.
Jackson County—H. H. Brown, William M. Hughes.
Josephine County—J. G. Spear.
Jackson and Josephine—R. S. Belknap.
Linn County—H. M. Brown, N. H. Cranor, Anderson Cox.

On motion of Mr. Cranor,
The report of the committee was adopted.

On motion of Mr. Cranor,
C. N. Terry, Notary Public, was invited to administer the oath of office to the members elect; and the members included in the report of the committee on credentials, who were present, were qualified and took their seats.

On motion of Mr. Brown, of Jackson,
The House proceeded to the election of Speaker, (*viva voce*).
Mr. Hayden nominated Ira F. M. Butler.
Mr. Hill nominated Wm. M. King.
Those voting for Ira F. M. Butler, were:

Messrs. Able, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hayden, Hughes, Mack, Matthews, Spear, Whiteaker, Woodsides—16.

Those voting for Wm. M. King, were.

Messrs Allen, Cole, Hill, Jeffers, Johnson, Rees, Shuck, Slater.—8.

Those voting for H. N. Gates, were:

Messrs. Butler, King—2.

Whereupon, Mr. Butler was declared duly elected; and conducted to the chair, by Messrs. Whiteaker and King; and qualified.

On motion,

House proceeded to the election of Chief Clerk.

Mr. Whiteaker nominated Charles B. Hand.

Mr. Johnson nominated Mr. Harding.

Those voting for C. B. Hand, were as follows.

Messrs. Able, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Whitaker, Woodsides, Mr. Speaker.—24.

Those voting for Mr. Harding, were.

Messrs. Johnson, and Slater.—2.

Those voting blank were:

Mr. Allen—1.

Whereupon, Chas. B. Hand was declared duly elected.

On motion,

House proceeded to the election of Assistant Clerk.

Mr. Woodsides nominated N. T. Caton.

Mr. —— nominated Mr. Harding.

Those voting for N. T. Caton, were:

Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hayden, Hughes, Jeffers, King, Mack, Matthews, Shuck, Spear, Whiteaker, Woodsides and Mr. Speaker.—22.

Those voting for Mr. Harding, were.

Messrs. Hill, Johnson and Slater.—3.

Those voting blank were:

Mr. Rees.—1.

On motion,
The House proceeded to the election of Enrolling Clerk.
Mr. Cranor nominated Geo L. Russell.
Those voting for G. L. Russell, were:

Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, Mack, Matthews, Shuck, Spear, Slater, Whitaker, Woodsides and Mr. Speaker—22.

Those voting blank were:

Messrs. Allen, Cole, King and Rees—4.

Whereupon, Mr. Russell was declared duly elected.
On motion,
The House proceeded to the election of Sergeant-at-arms.
Mr. Brown, of Jackson, nominated J. B. Sykes.
Mr. King nominated John Baker.

Those voting for J. B. Sykes were:

Messrs. Able. Brown of Linn, Brown of Jackson, Cox, Cranor Cooley, Collard, Gilliland, Gates, Hayden, Hughes, Johnson, King, Mack, Matthews, Rees, Spear, Whitaker, Woodsides and Mr. Speaker. —20.

Those voting for John Baker were:

Messrs. Allen, Cole, Hill, Jeffers, Shuck and Slater—6.

Whereupon, Mr. Sykes was declared duly elected.
On motion,
The House proceeded to the election of Door-Keeper.
Mr. Hayden nominated Joseph H. Brown.
Those who voted for J. H. Brown were:

Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whitaker, Woodsides and Mr. Speaker—.

Whereupon, Mr. Brown was declared duly elected.

Upon invitation, C. N. Terry, Notary Public, administered the oath of office, to the officers elect.

Mr. Woodsides introduced the following resolution.

Resolved, That the Rules of last session be adopted, as the rules of this House, until other rules be adopted.

On motion,
The resolution was adopted.

On motion of Mr. Woodsides,
That a committee of five be appointed to report rules for the government of this House.
Adopted.

Speaker appointed, Messrs. Woodsides, Cranor, Hughes, King and Gates, said committee.

Mr. Woodsides introduced the following resolution;

Resolved, That a committee of three be appointed to inform the Council that the House has organized, and that it is now ready to proceed to business.

On motion,
The resolution was adopted.

On motion,
The House adjourned, to meet to-morrow morning at 10 o'clock.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Tuesday, Dec. 8, 1857.

CHAS. B. HAND,
Chief Clerk.

WEDNESDAY, DECEMBER 9, 1857.

The House met pursuant to adjournment.

Mr. Dryer, member from the counties of Washington and Multnomah was qualified and took his seat.

Journal of yesterday read, corrected and approved.

Present—Messrs. Cox, Cranor, Cooley, Collard, Cole, Dryer, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck, Spear, Whiteaker, Woodsides and Mr. Speaker.

Absent—Messrs. Belknap, Brown of Linn, Gilliland, Kirkpatrick, Mack and Slater

The committee appointed to inform the Council of the organization of the House, reported that they had performed the duty assigned them.

Mr. Hayden introducted the following resolution

Resolved, That the various reporters of the different newspapers be invited to a seat within the Bar.

On motion,
The resolution was adopted.

Mr. Gates introduced the following resolution

Resolved, That a committee of two be appointed, on the part of the House, to act with a like committee on the part of the Council, to wait on His Excellency, the Governor, and inform him that the Legislative Assembly has organized, and is now ready to receive any communications he may be pleased to make.

On motion,
The resolution was adopted.

Speaker appointed Messrs Gates and Cranor

Mr. Collard introduced the following resolution.

Resolved, That the Clerk be and is hereby instructed to furnish each member and officer of this House with six copies of Oregon newspapers, as each member and officer may dosignate.

Mr. Allen moved to amend, as follows:

That the Clerk be, and he is hereby, instructed, to furnish each member and officer of this House with eight copies of Oregon newspapers, as each member and officer may designate.

The amendment was not adopted.

The question recurring upon the original resolution,

The yeas and nays being demanded, resulted as follows:

Yeas.—Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Whiteaker, Woodsides and Mr. Speaker—24.

Nays.—Messrs. Shuck and Spear.

So the resolution was adopted.

Mr. Brown of Jackson, offered the following resolution:

Resolved, That a committee of two be appointed by the Chair, to confer with a like committee in the Council, to draft Joint Rules and Regulations for the government of both Houses.

On motion,

The resolution was adopted.

Speaker appointed Messrs. Brown of Jackson, and Dryer said committee.

Mr. Able introduced the following resolution:

Resolved, That the Secretary of the Territory be instructed to furnish each member of this House with a copy of the Oregon Statutes, and the Laws and Journals of last session; said Statutes to be returned to the Secretary, at the close of the session.

Mr. Mack moved to amend, by inserting the words, "and the Laws of 1855 and 1856."

Which amendment carried,

And the resolution adopted.

Mr. Dryer introduced the following resolution:

Resolved, That when this House adjourn it adjourn until Friday morning, out of respect to the memory of ex-Governor John P. Gaines, deceased, to enable the members of Legislative Assembly to attend the funeral to-morrow.

On motion,

The resolution was adopted.

Messages from the Council, by their clerk, Mr. Micou.

MR. SPEAKER:

I am instructed by the President to inform you that the Council has organized, by the election of H. D. O'Bryant President, T. B. Micou Chief Clerk, W. L. White Assistant Clerk, George Edes Enrolling Clerk, Robert Shortis Sergeant-at-arms, William Wright, Door Keeper, and are now ready to proceed to business.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the following resolution has been adopted by the Council:

Resolved, That a committee of two be appointed, on the part of the Council, to act in concert with a like committee, on the part of the House, to wait upon His Excellency, the Governor, and inform him that the Legislative Assembly is duly organized, and is now ready to receive any communication he may be pleased to make.

Messrs. Shiel and Wait compose said committee.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the following resolution has been passed by the Council:

Resolved, That the President appoint a committee, on the part of the Council, to act with a like committee, on the part of the House, to draft Joint Rules and Regulations for the government of both Houses.

Messrs. Drain and Berry said committee.

Mr. Gates introduced the following resolution:

Resolved, That the Chief Clerk of this House be and he is hereby instructed to inform the Council of the organization of this House.

On motion,

Resolution adopted.

On motion,

House adjourned, to meet Friday morning at 10 o'clock, A. M.

I certify that the foregoing is a true copy of journal of the House of Representatives of Oregon Territory, approved by said House, for Wednesday, the 9th day of December, 1857.

CHAS. B. HAND,
Chief Clerk.

FRIDAY, DECEMBER 11, 1857.

The House met, pursuant to adjournment.

Present—Messrs. Able, Allen, Brown of Linn, Brown of Jackson-Cox, Cooley, Cranor, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Shuck, Spear, Slater, White, aker, Woodsides and Mr. Speaker.

Absent—Messrs. Belknap, Hayden, Kirkpatrick, Rees and Warren.

Journal of Wednesday read, corrected, and approved.

The committee appointed to report Rules for the government of this House, reported the following:

RULE 1. The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day. He shall immediately call the members to order, and, on the appearance of a majority of the members, shall cause the journal of the preceding day to be read.

RULE 2. Seven members, with the Speaker, or eight members in his absence, having chosen a Speaker, *pro tem.*, shall be authorized to call the House, and compel the attendance of absent members, make an order for their fine and censure, and may adjourn.

RULE 3. The Speaker shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House, by any two members, on which appeal no member shall speak more than once, unless by leave of the House.

RULE 4. The Speaker shall rise to put a question, but may state it sitting.

RULE 5. Questions shall be directly put in this form, to wit: "As many as are of opinion that (as the question may be) say aye; and after the affirmative voice is expressed—"As many as are of the contrary opinion, say no." If the Speaker doubt, or a division is called for, the House shall divide—those in the affirmative of the question shall first rise from their seats, and the number being announced, those in the negative shall rise.

RULE 6. The Speaker shall have a general direction of the House of Representatives' room, he shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. He shall have the right to name any member to bear messages to the Council, and to appoint all committees, subject to additional members, to be added upon motion.

RULE 7. The Speaker shall vote in all elections by ballot, and when the ayes and noes are called for, he shall vote—his name being called last: and in case of an equal division, the question shall be lost; and upon all other questions where the House is equally divided, he shall give the casting vote; or where his vote would make an equal division, he shall vote upon the call of any member, and in case of such division, the question shall be lost.

RULE 8. Fourteen standing committees, to consist of three member each, except the committee on judiciary, which shall consist of five members. A committee on elections, a committee on ways and means, a committee on education, a committee on the judiciary, a committee on claims, a committee on military affairs, a committee on roads and highways, a committee on engrossed bills, a committee on enrolled bills, a committee on Indian affairs, a committee on printing, a committee on corporations, a committee on commerce, a committee on counties. It shall be the duty of the committee on elections to examine and report upon the certificates of elections and other credentials of the members returned to serve in the House, and to take into consideration all other matters relative to contested elections which may be referred to them. It shall be the duty of the committee on ways and means to inquire into the financial concerns of the Territory, and to make a detailed report of the same, and to take into consideration all such other business as may be referred to them; and each of the other committees shall take into consideration all subjects and matters which may be referred to them.

RULE. 9. In case of any disturbance or disorderly conduct in the lobby, the Speaker (or chairman of the whole House) shall have the power to order the same to be cleared.

RULE 10. No committee shall sit during the sitting of the House without special leave; and all writs, warrants and subpœnas issued by order of the House, shall be under the hand and seal of the Speaker, attested by the clerk.

RULE 11. All questions relating to the priority of business shall be decided without debate.

RULE 12. After the journals are read, business shall be disposed of in the following order:

1. Petitions, memorials, and remonstrances.
2. Reports from standing committees.
3. Reports from select committees.
4. Propositions and motions.
5. Second reading of bills, &c
6. Engrossed bills read third time.
7. Bills, reports, and other business lying on the table.
8. Bills and other business of the House.
9. Other business of the Council.
10. Orders of the day.

RULE 13. The Speaker shall, upon each day, announce to the House the business in order, agreeably to the preceding rule; and no business shall be taken up or considered until the class to which it belongs shall be declared to be in order; but reports from the Governor may be read at any time.

RULE 14. When any member is about to speak in debate, or deliver any matter to the House, he shall rise from his seat and respectfully address himself to Mr. Speaker, and shall confine himself to the question under debate, and avoid personality; and no member shall impeach the motive of any other member's vote or argument.

RULE 15. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide the case, but without debate. If there be no appeal, the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the House.

RULE 16. If any member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the clerk's table; and no member shall be held to answer, or be subject to the censure of the House for words spoken in debate, if any other member has spoken, or other business has intervened, after the words are spoken, and before exception to them shall have been taken.

RULE 17. When two or more members happen to rise at once, the Speaker shall name who is the first to speak.

RULE 18. No member shall speak more than twice to the same question without the leave of the House, nor more than once until every member choosing to speak shall have spoken.

RULE 19. While the Speaker is putting the question, or addressing the House, no member shall walk across or out of the House; nor when a member is speaking shall any entertain private discourse or pass between him and the chair.

RULE 20. No member shall vote on any question, in the event of which he is immediately and particularly interested, or in any case when he was not within the bar of the House when the question was put; and when any member shall ask leave to vote, the Speaker shall propound to him the question—"Were you within the bar when your name was called?"

RULE 21. No member shall be permitted to record his vote on either side of any question, unless he was present in the House at the time such question was put, unless by unanimous consent of the House.

RULE 22. Upon a division and count of the House on any question, no member without the bar shall be counted.

RULE 23. Every member who shall be in the House when the question was put, shall give his vote, unless the House, for special reasons, shall excuse him. All motions to excuse a member from voting shall be made before the House divides, or before the call of the yeas and nays is commenced, and any member requesting to be excused from voting, may make a brief verbal statement of the reasons for making such request; and the question shall then be taken without further debate.

RULE 24. When any motion is made and seconded, it shall be stated by the Speaker, or, being in writing, it shall be handed to the chair, and read aloud before debated.

RULE 25. Every motion shall be reduced to writing, if the Speaker or a member desire it.

RULE 26. After a motion is stated by the Speaker, and read, it shall be deemed to be in possession of the House, but may be withdrawn at any time before decision or amendment.

RULE 27. When a question is under debate, no motion shall be received but to adjourn, to lie upon the table, for the previous question, to postpone indefinitely, to postpone to a day certain, to re-commit, or amend; which several motions shall have precedence in the order in which they stand arranged; and no motion to postpone to a day certain,

to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition.

RULE 28. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

RULE 29. The previous question shall be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and, until it is decided, shall preclude all amendment and further debate of the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motions, no call shall be in order prior to the decision of the main question.

RULE. 30. On a previous question there shall be no debate; all incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RULE 31. Motions and reports may be committed at the pleasure of the House.

RULE 32. Any member may call for a division of a question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible; but a motion to strike out, being lost, shall preclude neither amendment, nor a motion to strike out and insert.

RULE 33. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. No bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

RULE 34. When a motion has once been made, and carried in the affirmative or negative, it shall be in order for any member of the majority to move for a reconsideration thereof on the same or any other day during the session.

RULE 35. When the reading of a paper is called for, if any objections are made, it shall be decided by a vote of the House.

RULE 36. The unfinished business at which the House was engaged the preceding adjournment, shall have the preference in the order of the day; and no motion or any other business shall be received without special leave of the House, until the former is disposed of.

RULE 37. If a question pending be lost by adjournment of the House, and revived on the succeeding day, no member who shall have spoken twice on the succeeding day shall be permitted again to speak without leave.

RULE 38. Petitions, memorials, and other papers addressed to the House, may be presented by the Speaker, or by any member, and shall not be debated or decided on the day of their being first read, unless where the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

RULE 39. A motion to adjourn shall always be in order; that, and the motion to lay on the table, shall be decided without debate.

RULE 40. It shall be in order for the committee on enrolled bills to report at any time when no motion is before the House. The committee can report without notice to the House, by handing the report to the principal clerk.

RULE 41. Every bill shall be introduced by motion for leave, or by order of the House, or the report of the committee. One day's notice, at least shall be given of a motion to bring in a bill, and the member giving such notice shall state concisely the leading objects of the bill, for the information of the House, which motion may be committed.

RULE 42. Every bill shall receive three several readings, on three different days, previous to its passage, unless two-thirds of the House shall dispense with this rule.

RULE 43. First reading of a bill shall be for information, only, except bills from individual members, which may be referred at any time. But if, on the first reading of a bill, objection be made, the question shall be—"Shall this bill be rejected?" If no opposition be made, or the question to reject be negatived, the bill shall go for its second reading without a question.

RULE 44. Upon the second reading of a bill the Speaker shall state it is ready for commitment or engrossment; and if committed, then the question shall be whether to a select or standing committee, or to a committee of the whole House; the House shall determine on what day; but if the bill be ordered to be engrossed, the House shall appoint the day when it shall be read a third time.

RULE 45. After commitment and report thereof to the House, or at any time before its passage, a bill may be re-committed

RULE 46. All bills ordered to be engrossed shall be in a fair round hand.

RULE 47. No amendment by way of ryder shall be received to a bill on its third reading.

RULE 48. When a bill shall pass, it shall be certified by the clerk, noting the day of its passage at the foot thereof.

RULE 49. In forming a committee of the whole House, the Speaker, leaving the chair, shall appoint a chairman to preside.

RULE 50 Upon bills committed to a committee of the whole House, the bill shall be read throughout by the clerk, and then again read and debated by clauses, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined, but all amendments, (noting the page and line,) shall be duly entered by the clerk on a separate paper, as the same shall be agreed to by the committee and so reported to the House; after report, the bill shall again be subject to be debated and amended by clauses, before a question to engross it be taken.

RULE 51. All questions, whether in committee or in the House, shall be propounded in the order in which they are moved, except that in filling up blanks, the largest sum and the longest time shall be first put.

RULE 52. No motion or proposition for a tax or charge upon the people shall be discussed the day on which it is made or offered, and evrp such proposition shall receive its first discussion in a committee of the whole House.

RULE 53. The rules of proceeding in the House, shall be observed in a committee of the whole House, so far as they may be applicable, but no member shall speak twice to any question until every member choosing to speak shall have spoken

RULE 54. No standing rule or order of the House shall be rescinded or changed, without one day's notice being given of the motion therefor, nor shall any rule be suspended, except by a vote of at least two-thirds of the members present; nor shall the order of business established by the rules of the House, be postponed or changed except by a vote of at least two-thirds of the members present.

RULE 55. No member shall absent himself from the service of the House, unless he shall have leave or be sick and unable to attend.

RULE 56. The Clerk of the House shall take an oath for the true and faithful discharge of the duties of his office, to the best of his abilities, and shall be deemed to continue in office until another be chosen.

RULE 57. The duty of door-keeper shall be to give notice to the House of all messages, to carry all messages the House may require—

private as well as public. When requested to call a member of the House, he shall do so by name; he shall keep the House clean, and have a good fire made therein by the hour of 9 o'clock in the morning, when the weather requires it.

RULE 58. It shall also be the duty of the door-keeper to attend the House during its sittings, to keep the Representative Hall and committee rooms in perfect order, and in all things to execute the commands of the Speaker, and of the House, from time to time.

RULE 59. It shall be the duty of the sergeant-at-arms to attend the House during its sittings, announce all messages, preserve order in the lobby of the Hall, and to execute all processes issued by authority of the House, and directed to him by the Speaker.

RULE 60. No person shall be allowed to smoke in the hall or lobby thereof, while the House is in session.

RULE 61. The Clerk shall keep a journal of the decisions of the Chair, to be inserted at the close of the journal of the House.

RULE 62. On the final passage of every bill the yeas and nays shall be taken.

On motion,
The report was adopted

On motion of Mr. Shuck,
That the following Rule be added to the Rules of last session:

RULE 62. On the final passage of every bill the yeas and nays shall be taken.

Motion adopted.

The following resolution was introduced, by Mr. Cox, H.R. 10.

Resolved, That the door-keeper be, and he is hereby instructed to keep the Hall of this House open and warm, from eight o'clock, A.M., until ten o'clock, P.M., each day of the week, Sundays only excepted.

Mr. Dryer moved,
To amend, by striking out the words, "Sundays only excepted."
Which amendment carried; and
The resolution adopted.

The following resolution was offered, by Mr. Cooley, H.R. 11:

Resolved, That the clerk be, and he is, hereby required to furnish a

certified copy of the approved journal of the House to the Public Printer, for the use of the members and officers of the House, daily.

On motion,
The resolution was adopted.

The committee appointed on the part of the House to wait upon His Excellency, the Governor, reported as follows:

That in connection with the committee appointed on the part of the Council, they have waited upon His Excellency, the Governor, and communicated to him the fact that the Legislative Assembly was duly organized, and would be pleased to receive from him any communication he desired to make. His Excellency desired the committee to convey to their respective Houses his thanks and stated that he would be pleased to meet the Legislature in Joint Assembly, at their earliest convenience, for the purpose of making to them his communication in person.

On motion,
The report was adopted.

Mr. Brown, of Jackson, gave notice, that on to-morrow, or some subsequent day, he would introduce a bill for the relief of Thos. Pyle, sheriff of Jackson county, to refund to him a reward paid for the apprehension of George Livington, a Territorial prisoner who escaped from his custody.

Mr. Hill gave notice, that on to-morrow, or some subsequent day, he would introduce a bill to amend the Estray Law.

Mr. Collard gave notice, that on to-morrow, or some subsequent day, he would introduce a bill to amend the Road Laws.

The following Standing committees were announced by the Speaker:

Judiciary—Cranor, Hayden, Hughes, Whiteaker, and Slater.
Ways and Means—Brown, of Jackson, Cox, and Rees.
Claims—Brown, of Linn, Collard, and Cox.
Education—Woodsides, Spear, and Warren.
Military Affairs—King, Brown, of Jackson, Brown, of Linn.
Roads and Highways—Cox, Woodsides, and Johnson.
Engrossed Bills—Mathews, Woodsides, and Johnson.
Enrolled Bills—Mack, Spear, and Able.

Indian Affairs—Gates, Cooley, and Belknap.
Printing—Hughes, Cranor, and Gates.
Corporations—Hayden, Belknap, and Allen.
Commerce—Dryer, Kirkpatrick, and Jeffers.
Counties—Whiteaker, Gilliland, and Shuck.
Elections—Collard, Mack, and Hill.
Joint Committee on Enrolled Bills.—Spear and Johnson.

On motion of Mr. Gates,
That the standing committees be printed with the rules.
The motion was adopted.
The following resolution was offered by Mr. Gates: (H.J.R. 1)

Resolved by the House, the Council concurring, That the two Houses meet in the Hall of Representatives on Friday, the eleventh inst., at two o'clock, P.M., in joint convention, for the purpose of receiving His Excellency, the Governor.

On motion,
The resolution was adopted.

Mr. Shuck introduced the following resolution: (H.R. 12)

Resolved, That on the first reading of bills originating in this House, the clerk thereof shall be required to procure fifty printed copies for the use of the House, and twenty additional copies for the use of the Council, unless otherwise ordered by the House.

Mr. Dryer moved,
To amend by inserting "seventy-five copies," in the place of "fifty copies," and "twenty-five copies," in the place of "twenty copies."
The amendment was carried; and
The resolution adopted.

The committee appointed to report Joint Rules for the government of both Houses, reported the following:

1. While bills or joint resolutions are on their passage between the two Houses, they shall be on paper, under the signature of their clerks respectively.

2. After a bill or joint resolution shall have passed both Houses, it shall be duly enrolled on paper, and the clerk of the House where it originated shall endorse on the back thereof the House in which it originated, under which he shall place his signature.

3. Every bill or joint resolution, after being enrolled, shall be examined by the joint committee on enrolled bills, consisting of at least two members from each House, who shall compare the same with the engrossed bills, and correct any errors they may discover, so as to make it agree therewith, and make their report forthwith to their respective Houses.

4. Every bill or joint resolution reported to have been duly enrolled shall be first signed by the Speaker of the House of Representatives, who shall send the same to the Council, then by the President of the Council.

5. All bills and joint resolutions shall be signed by the Speaker of the House of Representatives and President of the Council, in their Houses respectively, when in session, which shall be carefully noted on the journals of each House.

6. When any paper or papers, proper to be acted upon by both Houses, shall come before either, the House before which such paper or papers are laid, shall, after acting thereupon, lay it or them before the other House.

7. In case of disagreement between the two Houses, after passing the usual formalities, each House shall appoint, at the request of the other, two members to act as a committee of conference, which committee shall meet, endeavor to compromise the matter in dispute, and report to each House their proceedings thereon.

8. In all cases where the sergeant-at-arms of either House, by reason of official engagements, or other causes, be unable to execute the commands or process of the House of which he is an officer, it shall be the duty of the sergeant-at-arms of the other House to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

9. When a message is sent to the Council or House of Representatives, it shall be announced at the door by the sergeant-at-arms or doorkeeper, and shall be respectfully communicated to the Chair by the person by whom sent

10. Messages shall be sent by such officers of the Council or House as the President of the Council or the Speaker of the House of Representatives may designate for that purpose.

11. No bill which shall have passed one House shall be sent for concurrence to the other on either of the last two days of the session.

12. The President of the Council and the Speaker of the House

shall cause the clerk of each House to number the bills and resolutions originating in their respective Houses.

On motion,
Adopted.

On motion of Mr. Dryer,
That one hundred copies of the Joint Rules be printed.
Motion adopted.

On motion of Mr. Johnson,
That one hundred copies of the Rules of House be printed.
Motion adopted.

Mr. Slater gave notice that on to-morrow, or some subsequent day of the session, he would introduce a bill to amend the charter of the city of Corvallis.

Also, a bill to incorporate a College at Corvallis.

Mr. Whitaker gave notice that on to-morrow, or some subsequent day of the session, he would introduce a bill to amend the election law.

On motion,
House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

Message from the Council, by their clerk, Thos. B. Micou.

COUNCIL CHAMBER, Dec. 11, 1857.

MR. SPEAKER:

I am instructed by the President of the Council, to inform you that the following resolution has been passed by the Council:

Resolved by the Council, the House concurring, That a committee be appointed on the part of the Council, to act with a like committee on the part of the House, on Enrolled Bills, as contemplated by joint rule No. three.

The committee on the part of the Council: Shiel and Scott.

THOS. B. MICOU,
Clerk of the Council.

On motion,
The House concurred.
The Speaker appointed Messrs. Spear and Johnson.

Mr. Dryer introduced the following resolutions:
H. R. No. 13.

Resolved, the Council concurring, That this Legislative Assembly proceed to the election of Territorial officers on Wednesday, 17th inst., at 11 o'clock, A. M.

H. R. No. 14.

Resolved, That the Superintendent of the Penitentiary be, and he is, hereby requested to report to the Legislative Assembly of Oregon Territory, at his earliest possible convenience.

On motion of Mr. Dryer.
They were laid on the table.

Mr. Shuck presented the petition of I. Lippincott, and other citizens of Yamhill county, relative to a Territorial Road leading from Dayton, in Yamhill county, to Salem.
On motion of Mr, Shuck,
Referred to committe on Roads and Highways.

The following message was received from the Council:

COUNCIL CHAMBER, Dec. 11, 1857.

MR. SPEAKER:

I am instructed by the President to inform you that the Council concurs in the resolution of your House, and will meet in the Representative Hall, to receive His Excellency, the Governor, at the time indicated in said resolution.

THOS. B. MIGGU,
Clerk of the Council.

On motion of Mr. Dryer,
That the Sergeant-at-arms be instructed to inform the Council that the House is now ready to meet the Council in Joint Convention.
On motion,
Adopted.

Mr. Mack gave notice that on to-morrow, or some subsequent day of the session, he would introduce a bill to amend an act relating to divorce, passed January 17th, 1854:

Also, a bill to amend an act relating to the sale of School Lands, passed January 27, 1856.

TWO O'CLOCK, P. M.

The Joint Convention of the two Houses of the Legislative Assembly now assembled in the Hall of the House of Representatives.

The President of the Council in the Chiar.

On motion of Mr. Dryer,

That a committee of three be appointed from the Joint Convention of the two Houses, to inform His Excellency, the Governor, that the two Houses are now in joint session, and are ready to receive any communication he may be pleased to make.

The resolution was adopted.

Messrs. Dryer, Wait, and Mack were appointed said committee.

At two o'clock and forty-five minutes, the committee appeared;

Mr. Dryer, their chairman, reported that they had discharged the duty assigned them, and announced His Excellency, the Governor.

Whereupon, His Excellency appeared, and addressed the two Houses of the Legislative Assembly, as follows:

Fellow-Citizens of the Council, and House of Representatives:

As, in all probability, you constitute the last Legislative Assembly that will convene under our present form of government, I have deemed it appropriate, if not in the line of my official duty, to address you upon an occasion which would seem to invite an expression of thought upon the past and present of our history, and to suggest a consideration of matters touching the interests of the Territory, as well as the welfare and prosperity of the State which is soon to be inducted into power.

When the history of Oregon comes to be written, the mind of the historian will be impressed by the earnestness and sincerity of character; the unobtrosive, unostentatious conduct of those who formed its population, from the first reclaiming of the wilderness—the pioneer epoch—to the more refined advancement into social and political existence. Another generation, in the realization of the ease, comfort and affluence, and the various enjoyments of a higher civilization, which will have resulted from ceaseless industry, and undiscouraged enterprise, may accord the meed of praise to the unwearied toil and patient suffering of those who tracked the wilderness and subdued it to the wants of man.

Our pioneer settlers possessed integrity of character. They were energetic, and diligent; warm-hearted, and strong-willed. Difficulties and reverses did not dishearten them; dangers could not. These attributes, and labor, constituted their only capital, and with them they achieved success. They were co-laborers in the service of utility; the pinchings of poverty, and their daily privations, only made them the more apt and efficient workmen. They accomplished a purpose with every effort. They congregate to award a bounty for wolf-scalps, and separate, after having inaugurated the first republican government on the shores of the northern Pacific—the polity of which has received the unequalified commendation of the first statesmen of the Union; the only instance of true and successful "squatter sovereignty" in the history of our country.

The Territorial system of government may be regarded as somewhat anomalous, under the federal constitution, in its deprivation of the enjoyment of the full rights of citizenship. It is an imperfect and unsatisfactory form of government, and may continue to be a fruitful source of trouble and discontent. It would seem just and politic, having full faith in the capacity of the people for self-government, that the citizens of the Territories should no longer be debarred the right, which no Constitutional power prohibits, to elect their executive and judicial officers. Such an amendment of the system would free it from its most objectional feature—that vestige of monarchical custom which should find no practice, or toleration, in a confederation of republican States, where the intelligence of the people is the basis of the government.

The provisional government which had been instituted by the mixed population of Oregon, after an existence of nearly six years, having admirably achieved its purpose, gave place to the jurisdiction of the United States, in our present Territorial system, on the 3d day of March, A.D., 1849. In a few months a more satisfactory change will have transpired in the assumption of the powers and authority of a sovereign State. It is a circumstance especially gratifying and congratulatory that, while other Territories have been afflicted with turbulence and desperate feuds, in their efforts to perfect their form of government, Oregon has accomplished it with dignity, determining the same question and causes of unhappiness, without the disrupture of social obligation, the violation of peace, or the infringment of her honor. This in the main is owing to the fact that we have been let alone by outside pseudo reformers and philanthropists—that we have not been cursed by the presence of political adventurers and emissaries of fanaticism to excite indecent passion, prostitute the public good, and make the blessings of our fathers a by-word and a scorn. The people of the Territories are fully competent to manage their own political concerns.

They know best their own interests and necessities, and least of all do they require foreign influences to educate them as to their political rights and duties. In the peaceful pursuits of agricultural life the settler seeks to obtain a comfortable subsistence. Nature is

his daily companion, and the sentiments she inspires elevate his mind and purify his heart. Is he not to be trusted in the exercise of his prerogatives? Vice does not flourish where agriculture has made her home. The Territories, as the common property of the nation, should be regarded as neutral ground, rather than as arenas for fanatical strife. Life has a better and higher purpose, and the nation a nobler mission than is involved in an interminable one-idead crusade.

The constitution, which has been adopted with such a feeling of unanimity, reflects credit upon those who framed it, and our citizens have exhibited their excellent judgment in approving it as the fundamental law. It is liberal in its provisions, and its spirit is in harmony with the progressive and improving impulse of the age. It inculcates the principle of economy in the administration of the government which it is to be hoped may be always rigidly observed and maintained, for extravagance has characterized the times and should be guarded against by every prudent means; there is nothing that will so fetter the usefulness of the State and impair its healthful vitality. It is an instrument that should be patiently submitted to the test of time, and careful practice and construction, before any encouragement is given to any change whatever.

Oregon presents herself for admission into the confederation of States in no unenviable attitude. No indecent haste impairs the undertaking. Time has matured the event. Her constitution compares favorably with those of other States. She has adjusted creditably, permanently, and satisfactorily all subjects involving differences of opinion. She has evaded no issue, or responsibility, however delicate or exciting. She understands herself and can be readily comprehended by all. Her manifold interests, in their daily increasing magnitude and importance, demand and inspire the hope that there may be no hesitation or delay in the acknowledgment of her sovereignty.

You are doubtless aware that Dr. John Evans, a gentleman of high scientific attainments, has been engaged for several years, under direction of the General Government, in making a geological reconnoisance of this and Washington Territory. With the character of his explorations, and the zeal and energy with which they have been conducted, you are likewise familiar. The publication of his report, which is now completed, ought to be a matter of considerable interest, especially to the two Territories; for we may confidently calculate that he has collected much valuable information, which will be of importance to the growing interests of this section of the Union. It is desirable that the fruits of his investigations should be made known to the world. I have no doubt that the passage of a joint resolution by your respective bodies, instructing our delegate to request Congress to make the necessary appropriation for the early publication of the work, might be of service in accomplishing that end. The Commissioner of the General Land Office estimates the requisite amount for this purpose; at $21,400. He considers the

labors of Dr. Evans as "eminently useful in a scientific point of view, as well as subserving the interests of the Pacific coast, by indicating the localities of the country possessing mineral and agricultural wealth." He correctly observes:

"Either what has been done in the way of exploration and development of coal deposits, under appropriation by Congress, is to go for nothing and remain useless, or be brought to light in proper form, as proposed by further appropriation, to close the business and make the result available. The effect of the latter measure will be to open up new sources of trade to active industry, in the extraction and sale of coal on the Pacific, thereby furnishing the material for the propulsion, essential in our rapidly growing steam-commerce on the Pacific, at cheap rates, instead of the enormous cost of the article imported from the east"

Our Indian relations remain in an unsatisfactory state. No demand has been made for the surrender of the murderers of Agents Bolen and Wright, and other Indians guilty of similar outrages, although the Superintendent of Indian Affairs has signified to the commanding officer of this military department, the justice and necessity of such an act. Notwithstanding the uncertain posture of affairs, no apprehensions need be entertained of hostile demonstrations on the part of the Indians west of the Cascade mountains, so long as the Government, by an adequate military force and ample appropriations, maintains its present policy of keeping and subsisting them upon reservations.

The abrogation of the treaties with the Indians east of the Cascades, or rather the failure of the Senate to ratify them, has been regarded as a sufficient cause to justify the closing of the large extent of country beyond the Dalles of the Columbia, against settlement or occupation by the whites. I shall not now undertake to oppose the policy of this measure, however questionable it may be; but I have to observe that the section of the Territory alluded to, has been opened to settlement by positive enactment of Congress. The ratification of the treaties with the Indians west of the Cascades, it should be borne in mind, is only of comparatively recent occurrence. Indeed, the first treaties were rejected. Because of this, no authority, military or other, attempted the assumption and exercise of a power, doubtful, at least. When the jurisdiction of the United States was extended over this country, and its authority established, through executive and judicial officers, it was, it is presumed, for the purpose of protecting its citizens in the enjoyment of their rights and interests, and afterwards, in order to foster those interests, and increase the population, liberal grants of land were made to those already occupying portions of the public domain, and others were invited to become settlers upon it, by virtue of the provisions of the same law, and receive a similar gratuity. Wherever the settler located his right, he held independent of the possessory right of the Indian, which was unextinguished, and the "intercourse law," which was quite as applicable as now. It was not his business to inquire who owned the land. He paid for it, by his labor, to a proprietor powerful enough to guarantee his patent. The expira-

tion of certain provisions of the land law does not affect the inherent principle involved in the subject.

Large sections of country, from which the whites have been thus excluded, are well adapted for purposes of pasturage, being covered with highly nutritious grasses. Our citizens had been regarding its occupation as highly advantageous for their rapidly augmenting herds of cattle and other stock.

Our present highly capable Superintendent of Indian Affairs, is wholly engaged in the efficient discharge of the difficult duties of his responsible position. An increase of jurisdiction has made his labors truly herculean. From the forty-second to the forty-ninth parallel of north latitude, and from the ocean to the Rocky Mountians, forms now but one Superintendency. This district of country is much too extensive for any one Superintendent, be he ever so efficient. It will be impossible to give entire and complete satisfaction. There should be two, at least, if not three such officers, for a field of service so extended and important. I would respectfully suggest the expediency of your memorializing Congress upon the necessity of authorizing additional Superintendents, so as the better to insure the prompt discharge of every responsibility pertaining to this important branch of the public service.

As I hope, and expect, in a few months, to be relieved from the further discharge of official duty, by the organization of the State government, and as I shall have no opportunity more fitting, I desire to avail myself of the present occasion to make some brief observations, in reference to my course of action during the recent period in which the Territory was engaged in repelling the attacks of hostile Indians. I do so with the more reluctance, because so much has been said already upon the subject of the war. The wilful perversions of truth, in regard to the policy and conduct of the war—the wanton and calumnious assaults which have been made upon those engaged in it might pass without notice, so far as they affect me personally; but as they reach the people of the Territory, and particularly those brave and patriotic citizens who constituted the volunteer forces, a sense of duty impels me to a different course. I have, at all times, cheerfully held myself responsible for my official conduct, and I cannot but consider it ungenerous, and unjust, that those who have no accountability in the matter—having merely complied with the directions and requests of their chief executive authority—should be subject to censure and abuse. An incompetent General, lately in command of the military department of the Pacific, whose vanity and imbecility made him unequal to the great emergency that occurred, in order to divert the public mind from his glaring omissions of duty, and great military mismanagement, has chosen to make it his especial business to lead on these assaults.—The grossness and mendacity of his communications—whether official or as a newspaper correspondent—render him no longer worthy of respectful notice or consideration. During the war, he was chiefly engaged in traveling upon a safe and comfortable steamship, between

here and San Francisco, in incubating his opprobrious compositions against a neglected and endangered people, and in bickering and fault-finding with those of his officers who sought to do their duty.

Some of the newspaper editors of the refined East, where the chiefest danger to life arises from voluptuous living, who know the Indian character only through poetry and romance, who seem to care more about cultivating treasonable machinations, and fostering disaffection to the Union, than the advocacy of truth, have filled their columns with wholesale denunciation of their fellow-citizens, inhabiting an isolated portion of the country, who resorted to arms in defence of life and property, rather than risk the general ruin and butchery, by remaining cowardly inactive. It is painful to conclude that the success of the whites, in repelling the attacks of the ruthless invader, was less gratifying to such mental organizations than would have been the depopulation of both Territories by Indian conquest.

It was the general belief, which has subsequently been fully confirmed, that the most powerful tribes adjacent to our frontier had entered into hostile combination against the whites. In this connection an officer of the regular army has thus written:

"As you will already have learned, the Indian war has become general, and a combination for the purposes of hostility to the whites has been formed on a scale which those most intimately acquainted with Indian character have heretofore believed impossible. * * * * * * * *

"In Southern Oregon the Rogue River Indians combined with some of those on the coast, the Umpquas, Pitt river and Shasta Indians, have also broken out into a fresh war and one of evidently intended extermination, against the whites."

It is unnecessary for me here to account for the cause of this combination and the subsequent acts of hostility which simultaneously occurred at both extremes of the Territory. The antipathy existing between the two races is no new circumstance. It had its origin far back in the past, in the infancy of the Republic. The history of the settlement of the Ohio and Mississippi Valleys affords overwhelming testimony of the cordiality of its bitterness. Indeed, the westward progress of civilization has been continually marked by Indian massacre and warfare. Nor had this Territory been without a mournful record of the turpitude and atrocity of the Indian character, to which the late calamity has added a most melancholy page.

Before the enrollment of a single volunteer, the Indian hostilities had assumed a most serious and threatening character. In the South our people were being surprised and slaughtered and the settlements laid waste—murder and rapine held high carnival at noonday. In the North an Indian Agent and other whites had been murdered, and a strong body of U. S. troops repulsed with great loss. In the presence of these exciting and formidable circumstances while the dismayed settlers were calling upon me for protection, was it for me to calculate the cost of defending the Territory and because it involved great expense timidly decline to act and allow independent and irregular action to overide the constituted authority? An

impartial judgment will answer, no! I should have been recreant to duty had I so done, and deserving of that condemnation which is now sought to be passed upon me.

In the embodiment of the volunteer force for service on the northern frontier, a sense of the insecurity of the settlements, and a determination to keep the war beyond them, were the controlling motives which prompted me to augment that force beyond the number I had been called upon to provide by the officer of the army who made the requisition. The number of U. S. troops in the country, beside being stationed at different and remote localities in Washington and Oregon, were inadequate to protect the Territory at the various assailable points. Notwithstanding the increased force called for by my proclamation of October 11th, 1855, the Superintendent of Indian Affairs at the time, expressed his apprehensions to the head of his department, that "any force that might be obtained under it would be insufficient for the service required." The aim of my policy was a complete and effectual suppression of hostilities, and that by the usual and legitimate mode of warfare. I most emphatically give my denial to the bald assertion that the war "was one of intended extermination" against the Indians. Neither was there an inclination, or disposition manifested by any authority, to give it that character, either by word or deed. The idea is altogether the coinage of a distempered imagination. It is true that the brutal and revolting treatment of our women and children—made prisoners in the irruptive attacks of the Indians—the most cruel, shameful and insulting advantages which were taken of captivity, and the horrible mutilation of their persons before and after death, very naturally caused a high degree of exasperation in the public mind. Only towards those who were guilty of these aggravated outrages, was it desired to meet out a merited punishment. There may have been isolated instances, where, moved by the deep emotion of the ineffable wrong that had been perpetrated. the passions rose superior to the sober judgment in the bosom of the relative, and made him the instrument of retributive justice.

As I have intimated, my policy contemplated a successful conclusion of the war—my plans were matured—my time and energies devoted to this end. Whether the season was, or was not favorable for operations against such an enemy, there was no alternative but to make an effort for success. In the South, the effective operations of the volunteers and regulars drove the enemy from their mountain fastnesses and compelled them to surrender and come in upon the reservations. In the north, after the Yakima campaign, the regulars were ordered into garrison, at a time when their services were of the utmost consequence; therefore the only decisive operations in that quarter were by the volunteers.

So soon as I became aware of the inactive policy determined upon by the officer commanding the military department of the Pacific, as to the confederated tribes of the Columbia, I had either to recall and disband the volunteers, who were then advancing toward the

Walla-Walla, and leave the settlements on the North open to incursion and depredation, or prosecute the war with all the vigor it was possible to command. I decided upon the latter course for these reasons: To have retired from the contest at that time would have been tantamount to a defeat. It would have been so regarded by the enemy, and would have emboldened them to the commission of greater outrages and afforded them time and opportunity to strengthen themselves by new alliances. The whole upper country was held by the hostiles, and beyond them were parties of our own citizens in the Colville mines, who, if the enemy were left in undisputed possession, and their attention and power unoccupied, were liable to molestation and destruction. Besides the U. S. Commissioner to the Blackfeet Indians, and his party, were presumed to be upon their return, and would inevitably to be exposed to the hostile designs, which, I was credibly informed, had been determined upon against them. When direful necessity compelled me to institute the volunteer service I appreciated alike the magnitude of the undertaking and the inexorable circumstances that required it. To have recalled and disbanded the volunteers upon the threshold of their duty, and left the Territory without defence, would have been, in my judgment, an act unpardonably wrong, and an evidence of gross official incompetency. It would have been a license to Indian aggression and atrocity. The result has vindicated my policy. The brilliant successes of the volunteers broke up the combinations of the enemy. Driven from their winter quarters, defeated, dispirited, and dispersed, they fled into distant localities.

In directing the movement on Walla-walla I made no "war on unoffending and friendly Indians." It was within the scope of stubborn malice and senseless prejudice only to give utterance to an accusation so base and false. I may have committed grave errors in the discharge of my official trusts, but my own conscience, and the truth of history will acquit me of one so serious as this.

Unfortunately there was a difference in the policy that controlled the action of the chief officer of the army on this coast and that which guided me. His policy indicated a cessation of operations, and a resistance by the regulars, in case of attack upon them, only in garrison, and those garrisons were all within the settlements. Mine intended the public security, and the successful suppression of hostilities by active operations and the maintenance of the war in the enemy's country, that they should the more effectually experience and appreciate its horrors and so be moved to peace. It was the success of the Territorial troops, acting under orders in pursuance of this policy, which seemed to have made a necessity for self vindication on the part of that officer, for neglect of duty, by efforts however vain and impotent. Hence the calumnious reports and untruthful accusations emenating from this, and similar sources.

If the Walla-wallas and their confederates were friendly, why did they conduct themselves in such a manner as to inspire distrust and alarm in the minds of the settlers among them, which ultimately forced

those whites to abandon their homes, at the sacrifice of their property? If they were unoffending why did they furnish recruitments to the Yakimas and Klickitats? If they were friendly why did individual members of the tribes warn some of the settlers that they were in imminent danger and urge them to fly without preparation or delay? If they were unoffending and friendly why did they conspire against the life of their agent? and why did they pillage and destroy Fort Walla-walla and the agency buildings? But it is needless to consume your time in the refutation of a charge so malicious and unfounded.

I have thus briefly and plainly alluded to the motives that influenced my action and policy by which it was governed. Whatever may be the ultimate result to myself, whether or not I be condemned for doing that which a momentous and critical state of affairs made an imperative duty is of inferior consequence to the early liquidation of the indebtedness accruing from the war. I entertain the confident belief that the general government is too magnanimous and just to permit the patriotic and self-sacrificing spirit evinced by my fellow citizens, in devoting their personal services and property to the urgent demand of the occasion to remain long acknowledged and uncompensated.—It is the highest obligation of the government to protect the lives and property of the people, and for such an omission to make the only indemnification possible. Precedents are abundant to show that in similar exigencies the government has always been actuated by that sense of justice and impartiality which should continue, and doubtless will, to distinguish its conduct. When recently at Washington I succeeded in my efforts, in conjunction with those of our indefatigable delegate, in procuring from Congress such action as authorized a board of commissioners to ascertain and audit the expenses necessarily incurred in the war, I had no reason to entertain any apprehensions as to the final payment of those expenses by the general government.

The commissioners have made their report and it has gone forward to the Secretary of War. The manner in which these gentlemen have performed their duty will no doubt prove satisfactory to the government.

I would not presume to intimate that there may be no contest upon the appropriation of so large an amount as is necessary to defray these liabilities. The incidents and experiences of congressional legislation teach otherwise. However just and worthy a cause may be, it is never free from trials and reverses. While we hope that no needless delay may occur in obtaining such action of congress as may be desirable and satisfactory, still any deferment of that action cannot be regarded as prejudicial to ultimate success.

The positive necessity that the military power of the government should afford protection to the annual immigrations by the overland route to the Pacific is every year becoming more and more apparent. The past season has furnished a sad catalogue of atrocious crimes perpetrated upon such parties by savage hatred and rapacity. The security of the life and property of the American citizen, in his trav-

el through the domain of the nation, must be assured what ever the burden of expense. The protecting power of the government should always surround its citizens, especially within the limits of its own jurisdiction, else its authority becomes a mockery and reproach.

I desire to call your attention to the necessity of some additional provisions to insure the punishment of crime. That portion of the Penitentiary building, which has been used for the confinement of criminals is now insufficient for that purpose, on account of the inceseased number of convicts, and other arrangements are requisite to be made to guarantee their security and punishment. I would respectfully recommend that some plan be devised to make the institution a self-sustaining one. As at present conducted it is a heavy expense to the Territory.

The officers of the financial department are required by law to report directly to the Assembly. Their reports exhibit a most satisfactory condition of affairs, and I feel it my duty to commend these gentlemen for the faithful and efficient manner in which they have performed their responsible duties.

I congratulate you upon the flourishing condition of the Territory. Town and country are in the enjoyment of exultant health and abounding plenty. Active industry in every department of labor is realizing its encouraging reward. The reverses and discouragements incident to the war have served to exhibit, in a most gratifying manner the resolute and energetic character of our population. The spirit of improvement is every where manifest, and the future is radiant with promise.

It is a pleasant reflection, and one that will go with me in my retirement from official duty, that during the period of my administration, which has not been without unusual trials and embarrassments, amid calamitous events, and times of great public exigence, the Territory has steadily advanced in the development of those means and capacities which make a country truly great, and the people prosperous and happy.

May the dispenser of all good continue the bestowment of his divine favor, that the future may redound to his honor and glory and the advancement and welfare of the country.

I have the honor to assure you of my desire to co-operate with you cordially, in the promotion of the public good.

GEO. L. CURRY.

Executive Office, Salem, Dec. 7, 1857.

On motion of Mr Wait,
The Convention dissolved.

Mr. King introduced the following resolution

H.R. 15,

Resolved, That as much of the Governor's Message as refers to the Judiciary be referred to the Judiciary Committee;

As much as refers to ways and means be referred to the Committee on Ways and Means;

As much as refers to Indian Affairs be referred to the Committee on Indian Affairs;

And as much as refers to millitary affairs be referred to the Committee on Military Affairs.

On motion,

The resolution was adopted.

The resolution of Mr. Dryer, relative to the election of Territorial Officers, was called.

Mr. Woodsides moved,

To amend, by striking out Wednesday, 17th, and inserting the 15th day of January, 1858.

Mr. Gates moved,

To lay the resolution and amendments on the table.

Motion adopted.

The resolution of Mr. Dryer, relative to the Superintendent of the Penitentiary, was called, and

On motion,

Adopted.

On motion,

The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Friday, Dec. 11, 1857.

CHAS. B. HAND,
Chief Clerk.

SATURDAY, DECEMBER 12, 1857.

The House met pursuant to adjournment.

Present—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hughes, Hill, Jeffers, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker.

Absent—Messrs. Belknap, Hayden, Johnson, Kirkpatrick, and Warren.

Journal of yesterday read and approved

Mr. Brown, of Jackson,

Introduced the petition of William Hoffman, for the relief of Tho's Pyle, Sheriff of Jackson county.

On motion,

Referred to Committee on Claims.

Mr. Cox, Chairman of the Committee on Roads and Highways, to whom was referred the petition of the citizens of Yamhill county made report by bill:

H. B. 1, Entitled, An act to locate a part of the Territorial Road leading from Salem, by the way of Matheny's Ferry, and Weston, to Dayton;

Read first time.

Mr. Gates offered the following resolution:

H. R. 16,

Resolved, That one thousand copies of the Governor's Message be ordered printed.

Mr. Allen moved,

To amend, by striking out "one thousand," and inserting "five hundred."

Mr. Brown, of Jackson, moved,

To amend, by inserting fifteen hundred

The question being upon the last amendment,

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Brown, of Jackson—1.

Nays—Messrs. Able, Allen, Brown, of Linn, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker.—24.

So the amendment was lost.

The question now being upon the amendment offered by Mr. Allen,
The yeas and nays being demanded, resulted as follows.

Yeas—Messrs. Allen, Cole, Dryer, Hill, Mack, Shuck, Spear, Slater and Whiteaker—9.

Nays—Messrs. Able, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hughes, Jeffers, King, Matthews, Rees, Woodsides and Mr. Speaker—16.

So the amendment was lost.

The question recurring upon the original resolution,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker—24.

Nays—Mr. Shuck—1.

So the amendment was adopted.

Mr. Jeffers offered the following resolution:

H. R. No. 17,

Resolved, That the Legislative action of this session be made to conform as far as possible to the provision of the Constitution as passed by the Convention, and accepted by the citizens of Oregon.

On motion of Mr. Shuck,
It was laid on the table.

Mr. Whiteaker gave notice,

That on Monday, or some subsequent day of the session, he would introduce a bill to amend the laws relating to insane persons.

Mr. Hill gave notice,

That on Monday, or some subsequent day of the session, he would introduce a bill to amend an act entitled "An act to provide for the election and to define the duties of a Superintendent of the Penitentiary."
introduce a bill to secure to each county the revenue resulting from the sale of such School Lands as belong to, and are within the same.

Mr. Brown, of Jackson, introduced

H. B. 2, Entitled "A bill for the relief of Thomas Pyle, sheriff of Jackson county.

Read first time.

Mr. Rees gave notice,

That on Monday, or some subsequent day of the session, he would introduce a bill to equalize advertising in counties.

Mr. Spear gave notice,

That on Monday, or some subsequent day of the session he would itroduce a bill amend an act entitled "An act to tax and protect

Also, a bill to repeal an act entitled, "An act to change the compensation of Judges and Clerks of elections," passed Jan. 21st, 1856.

Mr. Cranor gave notice,

That, on Monday, or some subsequent day of the session, he would Chinamen mining in Oregon."

Also, a bill for the relief of James Hendershott, Sheriff of Josephine county, to meet the expenses incurred in the burial of Anderson, the convict, who was shot in attempting to escape

On motion,

House adjourned.

AFTERNOON SESSION.

Mr. Dryer offered the following resolution.

H. R. 18,

Resolved, That the Sergeant-at-arms, be and he is hereby directed to procure and place on the wall over the Speaker's seat, a clock, not to exceed in expense the sum of seventeen dollars, and the same be paid out of the fund appropriated to pay the expense of the Legislative Assembly of Oregon Territory.

On motion,
Adopted.

The resolution of Mr. Jeffers, relative to conforming the action of this Legislature to the provisions of the Constitution, &c.,
Was taken from the table.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Brown of Linn, Brown of Jackson and Jeffers—3.

Nays—Messrs. Able, Allen, Cox, Cranor, Cooley, Collard, Cole Dryer, Gilliland, Gates, Hill, Hughes, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker—22.

So the resolution was lost.

The following message was received from the Council:

COUNCIL CHAMBER, Dec. 12, 1857.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the accompanying resolution has passed the Council, and they request the concurrence of the House therein.

THOS. B. MICOU,
Clerk of the Council.

C. J. R. 1,

Resolved, by the Council, the House concurring, That when the Legislative Assembly adjourn, on Saturday, the 19th day of December, inst, it do adjourn until Tuesday, the 5th day of January next.

Passed the Council December 12th, 1857.

THOS. B. MICOU.

On motion,
The House concurred.

On of motion Mr. Dryer,

H. B. 1, Was called up;
Rules suspended, and
The bill read a second time.

On motion Mr. Shuck,
That the bill be ordered engrossed, and
Read a third time on Monday next;
Adopted.

On motion,
House adjourned, until Monday morning.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Saturday, Dec. 12, 1857.

CHAS. B. HAND,
Chief Clerk.

MONDAY, DECEMBER 14, 1857.

House met, pursuant to adjournment.

Present—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker.

Absent—Messrs. Belknap, Johnson, Kirkpatrick and Warren.

Journal of Saturday read, corrected and approved.

Memorial of Wm. M. King, read and
Referred to committee on claims.

Mr. Dryer presented the petitions of A. B. Roberts and Jacob F. Shartle, relative to work rendered for the building of the Penitentiary.
On motion,
Referred to committee on claims.

Mr. Cole gave notice,

That on To-morrow, or some subsequent day of the session, he would introduce a bill to allow the citizens of Douglas county, lying between Calapooia, "the line between Douglas and Umpqua," and the North Umpqua, not including the citizens higher up said Umpqua than John Mell's, to vote at the next June election, at the proper, or regular place of voting, in said District, to ascertain whether they wish to become a part and parcel of Umpqua county.

Mr. Dryer introduced the following resolution:

H. J. R. —,

Resolved by the House, the Council concurring, That the Governor be and he is hereby requested to report to the Legislative Assembly of Oregon Territory, at his earliest convenience,

1. The amount of property purchased by the several departments, for the public service during and since the commencement of the Indian War.

2. The amount of property sold, or otherwise disposed of; the amount of cash received and by whom.

3. The number of clerks employed in the several departments; the amount paid to each, per diem; the whole amount expended, and for what purpose.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Cole, Dryer, Hill, Shuck and Slater—6.

Nays—Messrs. Able, Brownof Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides and Mr. Speaker.—20.

So the resolution was not adopted.

Committee on engrossed bills reported,
H. B. 1 duly engrossed.

On motion,
House adjourned.

AFTERNOON SESSION.

H. B. 2,
Read a second time, and
Referred to committee on claims.

H. B. 1,
Read a third time; and
Passed; as follows.

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Slater, Shuck, Spear, Whiteaker, Woodsides and Mr. Speaker—26

Mr. Able presented the reports of the Territorial Auditor and Treasurer.

Report of Auditor read.

On motion of Mr. Shuck,
That the reports be laid on the table and one hundred copies ordered printed.

Mr. Able moved,
To amend, by striking out "one hundred," and inserting in its place "five hundred."

Mr. Collard moved,
To amend, by inserting "one thousand."

The question being upon the last amendment,
The amendment was carried; and
The resolution was adopted.

On motion of Mr. Able,
That the reading of the report of Territorial Treasurer be dispensed with, and that it be laid upon the table.
Adopted.

On motion of Mr. Able,

That five hundred copies of the report be ordered printed.

Mr. Spear moved,

To amend, by inserting "one thousand," in the place of "five hundred."

The amendment carried; and

The resolution was adopted.

On motion of Mr. Dryer,

That the Territorial Auditor be required to distribute the reports of the Auditor and Treasurer.

The yeas and nays being demanded, resulted as follows.

Yeas—Messrs. Able, Dryer, Hill, King and Spear—5.

Nays—Messrs. Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hayden, Hughes, Jeffers, Mack, Matthews, Rees, Shuck, Slater, Whiteaker, Woodsides and Mr. Speaker —20.

So the resolution was lost.

Mr. Slater gave notice,

That on to-morrow, or some subsequent day of the session, he would introduce a bill to amend an act entitled "An act to regulate the proceedings in actions at law in the Supreme and District Courts," passed December 22d, 1853.

Mr. Mack introduced,

H. B. 3, Entitled, "an act to amend an act entitled an act to provide for the sale of Common School Lands, of Oregon Territory.

Read a first time.

Mr. Cranor introduced

H. B. 4, Entitled, "A bill to amend an act entitled an act to provide for the sale of Common School Lands of Oregon Territory.

Read a first time.

Mr. Mack introduced,

H. J. R. 2, Relative to the distribution of reports and other documents.

Read first time.

Mr. Mack introduced,

H. B. 5, Entitled "An act to amend an act relating to marriage and divorce."

Read first time.

Mr. Matthews gave notice,

That on to-morrow or some subsequent day of the session, he would introduce a bill to legalize certain acts of School District number four, in Douglas county.

Mr. Able gave notice,

That on to-morrow, or some subsequent day of the session, he would introduce a bill to amend the law relating to roads and ferries, to give county commissioners some discretionary power to pay or not pay damages assessed on the location of Territorial roads through their counties.

On motion,

Adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Monday, Dec. 14, 1857.

CHAS. B. HAND,
Chief Clerk.

TUESDAY, DECEMBER 15, 1857.

House met pursuant to adjournment.

Present—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker—26.

Absent—Messrs. Belknap, Johnson, Kirkpatrick and Mr. Warren.

Journal of yesterday read, corrected and approved.

Mr. King presented a petition for the relief of J. L Hensly;
Which was read, and
Referred to Committee on Claims.

Mr. Collard presented the petition of Josiah Suttle, and moved that the reading thereof be dispensed with, and it be referred to a Select Committee.
Motion adopted.

Speaker appointed,
Messrs. Collard, Cox, and Slater, said committee.

Mr. Jeffers presented the account of the Argus Office;
Which was read, and
Referred to Committee on Claims.

The Committee on Claims, to whom was referred
The petition of Thomas Pyle; also,

H. B. 2, Asking relief for the said Thomas Pyle, Sheriff of Jackson county;

By their Chairman, Mr. Brown of Linn, reported that, having had the same under consideration, they refer the same back to the House, with the recommendation that said bill do not pass.

On motion of Mr. Dryer,
The report and bill were laid on the table.

Mr. Woodsides introduced,
H. B. 6, Entitled "A bill to incorporate the town of Salem;
Read first time.

Mr. Woodsides gave notice,
That on to-morrow, or some subsequent day of the session, he would introduce a bill authorizing the voters of Road District No. 9, in Marion County, to elect a Supervisor in and for said district

Mr. Slater introduced,
H. B. 7, Entitled "An act to amend an act entitled an act to regulate proceedings in actions at law, in the Supreme and District Courts.

Read first time.

Mr. Brown, of Jackson, gave notice,

That on some future day, subsequent to the Holidays, he would introduce a bill regulating and authorizing a system of rewards for the apprehension of criminals and fugitives from justice.

Mr. Cole introduced

H. B. 8, Entitled "A bill to allow a portion of the citizens of Douglas county to vote at the next June election."

Read first time.

Mr. Hughes gave notice,

That on to-morrow, or some subsequent day of the session, he would introduce a bill for the purpose of more effectually suppressing gaming.

Mr. Whiteaker introduced,

H. B. 9, Entitled "A bill to change the time allowed by law for making election returns."

Read first time.

Mr. Cox moved,

To take from the table the resolution relative to the election of Territorial officers; and

Also, the amendment.

The question being upon the amendment,

The yeas and nays were demanded, and resulted as follows.

Yeas—Messrs. Allen, Dryer, Gates, Hill, King, Shuck, Spear and Slater—8.

Nays—Messrs Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Hayden, Hughes, Jeffers, Mack, Matthews, Rees, Whiteaker, Woodsides and Mr. Speaker—18.

So the amendment was not adopted.

Mr. Slater moved,

To amend, by inserting the fourteenth day of January, 1858.

The question being upon this amendment,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Gates, Hill, King, Shuck, Slater and Whiteaker —7.

Nays—Messrs. Able, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Hayden, Hughes, Jeffers, Mack, Matthews, Rees, Spear, Woodsides and Mr. Speaker—19.

So the amendment was not adopted.

Mr. Slater moved,
To amend, by inserting the eighth day of January, one thousand, eight hundred and fifty eight

The question being upon this amendment,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Collard, Gilliland, Gates, Hill, Mack, Shuck, Slater, Whiteaker and Mr. Speaker—11.

Nays—Messrs. Able, Brown of Jackson, Cox, Cranor, Cooley, Cole, Dryer, Hayden, Hughes, Jeffers, King, Matthews, Rees, Spear and Woodsides—15.

A call of the House was demanded.

The roll being called, resulted as follows:

Present—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker.

Absent—Messrs. Belknap, Jeffers, Johnson, Kirkpatrick and Warren.

On motion,
Further call of the House was dispensed with.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Cole, Dryer, Gilliland, Gates, Hayden, Hughes,

Jeffers, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker.—23.

Nays—Messrs. Collard, Hill and Shuck—3.

Adopted.

Mr. Woodsides moved,
The previous question.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Brown of Linn, Brown of Jackson, Cox, Cranor, Cole, Cooley, Dryer, Gates, Hayden, Hughes, Jeffers, Matthews, Spear and Woodsides—14.

Nays—Messrs. Able, Allen, Collard, Gilliland, Hill, King, Mack, Rees, Shuck Slater Whiteaker, and Mr. Speaker.—12.

The question now being upon the original resolution;
Pending which,
On motion of Mr. Whiteaker,
House adjourned.

AFTERNOON SESSION.

Question on original motion still pending;

On motion of Mr. Gates,
That we reconsider the vote for the previous question.
Adopted.

On motion of Mr. Dryer,
That Thursday be substituted for Wednesday.
Adopted.

On motion of Mr Allen,
That the resolution be
Laid on the table;

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Collard, Gilliland, Hill, King, Rees, Shuck and Slater—8.

Nays—Messrs. Able, Brown of Jackson Cox, Cranor, Cooley, Cole, Dryer, Gates, Hayden, Hughes, Jeffers, Mack, Matthews, Spear, Whiteaker, Woodsides and Mr. Speaker—17.

The motion was not adopted.

Mr. Shuck moved,
An indefinite postponement.
Not adopted.

Mr. Woodsides moved,
The previous question.
Adopted.

The question now being upon the original resolution,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Cole, Dryer, Gates, Hayden, Hughes, Jeffers, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides and Mr. Speaker—19.

Nays—Messrs. Allen, Collard, Gilliland, Hill, King, Shuck and Slater—7.

So the resolution was adopted.

Mr. Speaker presented the report of the Superintendent of the Penitentiary,
Which was read.

On motion of Mr. Woodsides,
That the report be laid on the table, and one hundred copies be ordered printed,
Adopted.

Mr. Hill introduced

H. B. 10, Entitled "An act to amend an act entitled an act relating to estrays and property lost or unclaimed."

Read first time.

A message from the Council, by their Clerk, Mr. Micou.

COUNCIL CHAMBER, Dec. 15, 1857.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council has passed the accompanying bill:

C. B. 1, Entitled "A bill to incorporate the Youth's Lyceum at Montville Institute,"

And requests the concurrence of the House of Representatives therein.

THOS. B. MICOU,
Clerk of the Council.

Mr. Spear introduced,

H. B. 11, Entitled "An act for the relief of James Hendershott, Sheriff of Josephine county."

Read first time.

Mr. Dryer introduced the following resolution:

H. R. No. 19,

Resolved, That the clergymen of this city be invited by the Speaker, to officiate as chaplain in this House.

Mr. Collard moved,

That it be laid on the table.

The yeas and nays being demanded, resulted as follows.

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Matthews, Rees, Spear, Slater, Whiteaker and Woodsides—20.

Nays—Messrs. Cranor, Cole, Dryer, Mack, Shuck and Mr. Speaker —6.

So the motion was adopted.

Mr. Hill introduced the following:

H. J. R. 3,

Resolved, by the House, the Council concurring, That a committee of two be appointed on the part of the House, to act in concert with a like committee on the part of the Council, to visit the Penitentiary, during the Holidays, with a view to the establishing some system of management, and also to suggest some plan to enlarge said Penitentiary. Also, to make it a self-sustaining establishment Said committee to report as soon as practicable.

Mr. Shuck moved,

To amend, by striking out "a like committe," and inserting a committee of one in its place.

Not adopted.

The question being upon the resolution, it was

Adopted.

Mr. Collard introduced,

H. B. 12, Entitled "An act to amend the road law;"

Read first time.

On motion,

The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Tuesday, Dec. 15, 1857.

CHAS. B. HAND,
Chief Clerk.

WEDNESDAY, DECEMBER 16, 1857.

The House met pursuant to adjournment.

Present—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hughes, Hill, Hayden Jeffers, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker.

Absent—Messrs. Belknap, Johnson, Kirkpatrick, and Warren.

Journal of yesterday read and approved.

Mr. Woodsides introduced,
The report of committee to erect a suitable monument over the grave of Samuel R. Thurston.

On motion,
Referred to Committee on ways and means.

Mr. Woodsides introduced,
The petition of Margaret J. Waddle for divorce.

On motion of Mr Hayden,
That the petition be laid on the table;
Motion not adopted.

The petition was read, and
On motion,
Referred to the judiciary committee.

Mr. Allen introduced the following preamble and resolution:

H. R. 20,

WHEREAS, It has been decided by the Supreme Court of the United States, that Congress has no power to prohibit the introduction of slavery into the Territory; and

WHEREAS, Slavery *is* tolerated by the Constitution of the United States; Therefore,

Resolved, That the Chair appoint a committee of three, to report

what legislation is necessary to protect the rights of persons holding slaves in this Territory.

Mr. Cox moved,
That it be indefinitely postponed.

Pending which,
House adjourned.

AFTERNOON SESSION.

The indefinite postponement of H. R. 20, still pending;

On motion of Mr. Allen,
That Mr. Slater be allowed to read from the Dred Scott decision;
Adopted.

Mr. Brown, of Jackson moved,
The previous question.

The yeas and nays being demanded, resulted as follows

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cole, Gates Hayden, Jeffers and Mr. Speaker.—8.

Nays—Messrs. Allen, Cox, Cranor, Cooley, Collard, Dryer, Gilliland Hill, Hughes, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, and Woodsides—18.

So the amendment was not adopted.

On motion of Mr. Mack,
That the previous question be reconsidered;
Adopted.

The question being upon the indefinite postponement;
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Cox, Cranor, Collard, Cole, Dryer, Gilliland, Gates, Hayden, Jeffers, Matthews, Rees, Shuck, Spear, Woodsides and Mr. Speaker—17.

Nays—Messrs. Allen, Brown of Jackson, Cooley, Hill, Hughes, King Mack, Slater and Whiteaker—9.

So the resolution was indefinitely postponed.

Messages from the Council, by Mr. Micou, their Clerk:

COUNCIL CHAMBER, Dec. 16, 1857.

MR. SPEAKER:

The Council have passed the accompanying resolution, in which they request the concurrence of the House therein:

C. J. R. 2, Requesting our Delegate in Congress to urge the publication, by Congress, of Dr. Evans' Geological Reconnoisance of Oregon and Washington Territories.

The Council have also passed a bill of the following title, in which they request the concurrence of the House:

C. B. 3, An act to establish a College in the town of Sublimity, county of Marion.

Also, that they have passed

H. B. 1, Entitled "An act to relocate a part of the Territorial road from Salem, by way of Matheny Ferry and Weston, to Dayton, without amendment.

THOS. B. MICOU.
Chief Clerk.

On of motion Mr. Dryer,
That the House concur in C. J. R. 2;
Adopted.

COUNCIL CHAMBER, Dec. 16, 1857.

MR. SPEAKER:

I am instructed to inform you that the Council has adopted

H. J. R. 3, For the appointment of joint committee to visit the Penitentiary, &c,

With the following amendment, in which they request the concurrence of the House:

To strike out "a like committee," and insert in lieu thereof "a committee of one."

THOS. B. MICOU
Chief Clerk

On motion of Mr. Woodsides,
The House concurred.

Mr. Jeffers introduced the following preamble and resolution.

H. J. R. 4,

WHEREAS, It being made to appear sufficiently manifest to this body, that our fellow-citizens of Astoria, in Clatsop county, are now, and have been, grossly wronged in their postal arrangements, by the acts of the present postmaster, Truman P. Powers, in removing from that place the post-office, properly belonging there, to a point above said town—greatly to the inconvenience and expense of the citizens of said town, and surrounding country; and

WHEREAS, They having repeatedly petitioned and sought a redress of those grivances, heretofore without success, and believing that it is the duty of the representatives of the whole people to interfere, where there is a manifest public wrong in the conduct of a public officer in sacrificing public to private interests, contrary to the spirit of our whole institutions; and

WHEREAS, It being made to appear that three-fourths of the whole population of said town and county is aggrieved by the action of said postmaster; Therefore,

Resolved by the House, the Council concurring, That our Delegate in Congress, Gen. Joseph Lane, be and he is hereby respectfully solicited to use his influence to have those abuses corrected, and that the office of deposite be returned to the incorporated town of Astoria, the county seat of said county, and that Samuel T. McKean be appointed post master for said office in accordance with the wishes of the people expressed by a large petition to the Postmaster General, sent to that Department in November last.

On motion of Mr. Jeffers,
That it be laid upon the table until after the Holidays;
Adopted.

Mr. Whiteaker introduced,

H. B. 13, Entitled "An act to amend an act relating to parents, children, wards and to masters, apprentices, and servants," passed December 15, 1853.

Read a first time.

H. B. 3,
Read a second time, and
Referred to committee of the whole.

H. B. 4,
Read a second time, and
Referred to committee of the whole.

H. B. 5,
Read a second time; and
Referred to Judiciary committee.

H. J. R. 2,
Read second time; and
Referred to committee of the whole.

On motion,
H. B. 2,
Was taken from the table.
And referred to committee of the whole.

C. B. 3, Entitled "An act to establish a College at the town of Sublimity county of Marion;
Read a first time.

Mr. Dryer moved,
The House resolved itself into

COMMITTEE OF THE WHOLE,

For consideration of H. B. 2,
Adopted.
Mr. Gates in the Chiar.

After some time spent therein, committee rose, and reported to the

That having had the same under consideration, they report the same back to the House with the recommendation that it pass.

Mr. Cranor introduced,
The report of the Territorial Librarian; which was
Laid on the table; and
One hundred copies ordered printed.

On motion,
Adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Wednesday, Dec. 16, 1857.

CHAS. B. HAND,
Chief Clerk.

THURSDAY, DECEMBER 17, 1857.

House met pursuant to adjournment.

Present—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker—26.

Absent—Messrs. Belknap, Johnson, Kirkpatrick and Warren.

Journal of yesterday read and approved.

Mr. Woodsides introduced,
Petition of W. H. Rector and one hundred and eighteen others, relative to the incorporation of the City of Salem.

Also, Petition of Wiley Kenyon, Mayor, and other officers of said City of Salem, relative to said corparation.

On motion of Mr. Cranor,
Referred to committee of the whole.

Mr. Cox gave notice,
That on to-morrow, or some subsequent day of the session, he would introduce a bill to charter the Albany Academy.

H. B. 7, Entitled "An act to amend an act entitled an act to regulate proceedings in actions at law, in the Supreme and District Courts.
Read second time, and
Referred to judiciary committee.

H. B. 9, Entitled "A bill to change the time allowed by law for making election returns."
Read second time, and
Referred to committee on elections.

Message from the Council, by Mr. Micou, their clerk.

COUNCIL CHAMBER, Dec. 17, 1857.

MR. SPEAKERR:

As instructed by the President, I hereby inform you that
H. J. R. 1, Relative to joint convention for the purpose of electing Territorial Officers,
Has been concurred in by the Council.

THOS. B. MICOU,
Chief Clerk.

On motion,
H. B. 2
Read third time.

Question being
"Shall the bill pass?"
The yeas and nays being demanded, resulted as follows

Yeas—Messrs. Able, Allen, Brown, of Jackson, Cooley, Dryer, Gates, Hill, Hughes, Hayden, Jeffers, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker and Woodsides—18.

Nays—Messrs. Brown, of Linn, Cox, Cranor, Collard, Cole, Gilliland, Shuck and Mr. Speaker—8.

So the bill passed.

Mr. Matthews introduced,

H. B. 14, Entitled, "An act declaring certain acts of School District number four, in Douglas county, legal."

Read first time.

On motion of Mr. Dryer,

House resolved itself into

COMMITTEE OF THE WHOLE,

For the consideration of H. B's. 3 and 4,

Mr. Dryer in the Chair.

After some time spent therein, the committee rose and reported to the

HOUSE OF REPRESENTATIVES,

That having had under consideration the same they beg leave to report the same back to the House, with the recommendation that the same be referred to a select committee of three.

Also, that having had under consideration,

H. J. R. 2, Relative to the distribution of reports and other documents;

They refer the same back to the House, with the recommendation that it pass.

On motion of Mr. King,

That the report of the committee on H. B's No. 3 and 4,

Also, on H. J. R. 2, be adopted;

Motion adopted.

Mr. Brown of Linn, introduced the following resolution:

H. R. 21,

Resolved, That the House is now ready to go into the election of Ter-

riterial Officers, according to previous resolution, and that the President and members of the Council be invited to take seats in the House for that purpose, at two o'clock, this afternoon.

On motion,
House adjourned, until two o'clock this afternoon.

AFTERNOON SESSION.

Mr. Cranor introduced the following resolution:

H. R. 22,

Resolved, by the House, the Council concurring, That the two Houses, upon joint ballot, go into the election of Territorial officers, forthwith.

Mr. Dryer moved,
To amend, by striking out all after the word "Resolved," and inserting: "That the House is now ready to receive the Council, in joint convention, to proceed to the election of Territorial officers, agreeable to the joint resolution No. 1, as passed both Houses."

On motion of Mr. Hayden,
The previous question was adopted.

The question now being upon the amendment.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Rees, Shuck, Spear, Whiteaker, Woodsides and Mr. Speaker—25.

Nays—Mr. Slater—1.

So the amendment was adopted.

Question being upon the resolution as amended;
The resolution was adopted.

In conformity with the resolution, the President and members of the Council took seats in the House.

IN JOINT CONVENTION.

On motion,
Joint convention went into the election of Territorial officers, *viva voce*.

Mr. Wait moved,
That we now proceed to the election of Territorial Printer;
Adopted.

Mr. Woodsides nominated Asahel Bush;

Mr. Scott nominated Wm. J. Beggs;

Those voting for Mr. Bush were:

Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hayden, Hughes, Jeffers, Mack, Matthews, Spear, Whiteaker, Woodsides, Butler, Berry, Drain, Ford, Sheil, Wait and Mr. President—24.

Those voting for Mr. Beggs were:

Messrs. Cole, Hill, Slater, and Scott—4.

Mr. King voting for
Mr. Pearne—1.

Mr. Shuck voting for
Mr. Hibben—1.

Messrs. Dryer, Rees, and Cornelius voting
Blank—3.

Mr. A. Bush, having received a majority of all the votes cast, was declared duly elected Territorial Printer.

On motion of Mr. Wait,
The convention proceeded to the election of Territorial Treasurer.

Mr. Woodsides nominated J. D. Boon;

Those voting for J. D. Boon were:

Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Butler, Gilliland, Gates, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Berry, Drain, Ford, Sheil, Wait and Mr. President—26.

Those voting blank were:

Messrs. Allen, Cole, Dryer, Hill, Shuck, Slater, Cornelius and Scott —8.

Mr. Boon having received a majority of all the votes cast, was declared duly elected Territorial Treasurer.

On motion,
Convention proceeded to the election of Territorial Auditor.

Mr. Hayden nominated B. F. Bonham;

Those voting for Mr. Bonham were:

Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hayden, Hughes, Jeffers, King, Matthews, Mack, Rees, Spear, Whiteaker, Woodsides, Butler, Berry, Drain, Ford, Sheil, Wait and Mr. President.—26.

Those voting blank were:

Messrs. Allen, Cole, Dryer, Hill, Shuck, Slater, Cornelius and Scott —8.

Mr. Bonham having received a majority of all the votes cast, was declared duly elected Territorial Auditor.

On motion,
Convention proceeded to the election of Territorial Librarian.

Mr. Woodsides nominated B. F. Bonham;

Mr. Shuck nominated Gen. Ward;

Those voting for Bonham were:

Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hayden, Hughes, Jeffers, Mack, Matthews, Spear, Whitaker, Woodsides, Butler, Berry, Drain, Ford, Sheil, Wait and Mr. President—24.

Those voting for Mr. Ward were;

Messrs. Shuck and Scott—2.

Those voting blank were:

Messrs. Cole, Dryer, Hill, King, Rees, Slater and Cornelius—7.

Mr. Bonham having received a majority of all the votes cast, was declared duly elected Territorial Librarian.

On motion,

Convention proceeded to the election of Pilot Commissioners, "one at a time."

Mr. Jeffers nominated Geo. Hustler;

Mr. Gillman was also placed in nomination;

Those voting for Mr. Hustler were:

Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Butler, Berry, Drain, Ford, Sheil, Wait and Mr. President—27.

Those voting for Mr. Gillman were:

Messrs. Hill, Shuck and Scott—3.

Those voting blank were:

Messrs. Allen, Cole, Slater and Cornelius—4.

Mr. Hustler having received a majority of all the votes cast was declared duly elected one of the Pilot Commissioners.

Mr. Brown of Linn nominated Mr. Flavel for Pilot Commissioner;

These voting for Mr. Flavel were:

Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Whitaker, Woodsides, Butler, Berry, Drain, Ford, Scott, Sheil, Wait and Mr. President—28.

Messrs. Hill, Shuck and Slater voting for Mr. Welsh—3.

Messrs. Allen, Cole and Cornelius, voting
Blank—3.

Mr. Flavel having received a majority of all the votes cast, was declared duly elected one of the Pilot Commissioners.

On motion,
Convention proceeded to the election of Superintendent of the Penitentiary.

Mr. Brown of Linn, nominated Mr. Joseph Sloan;

Those voting for Mr. Sloan were:

Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hayden, Hughes, Jeffers, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Butler, Berry, Drain, Ford, Sheil, Wait and Mr. President—25.

Mr. King voting for
Mr. Picket—1.

Those voting blank were:

Messrs. Allen, Cole, Hill, Slater, Cornelius and Scott—6.

Mr. Sloan having received a majority of all the votes cast, was declared duly elected Superintendent of the Penitentiary.

On motion of Mr. Wait,
That the joint convention be dissolved,
Adopted.

IN THE HOUSE OF REPRESENTATIVES,

Report of the Governor read, and
On motion,
Laid on the table, and
One hundred copies ordered printed.

On motion,
House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Thursday, Dec. 17, 1857.

CHAS. B. HAND,
Chief Clerk.

FRIDAY, DECEMBER 18, 1857.

House met, pursuant to adjournment.

Present—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Shuck, Spear, Whiteaker, Woodsides and Mr. Speaker.

Absent—Messrs. Able, Belknap, Dryer, Gilliland, Johnson, Kirkpatrick, Rees, Slater and Warren.

Journal of yesterday read and approved.

Message from the Council, by Mr. Micou, their Clerk:

COUNCIL CHAMBER, Dec. 17, 1857.

MR. SPEAKER:

I herewith transmit the accompanying joint resolution, C. J. R. 3, in which I am instructed to ask the concurrence of the House of Representatives:

C. J. R. 3,

Be it resolved by the Council, the House concurring, That the Secretary of the Territory, at his earliest convenience, after the passage of every Council or House joint resolution, in which the action or co-operation of our Delegate in Congress is solicted, is hereby respectfully requested to forward to said Delegate a certified copy of said resolution.

Passed the Council Dec. 17, 1857.

THOS. B. MICOU,
Chief Clerk.

On motion of Mr. Jeffers.

The House concurred.

The judiciary committee, to whom was referred the petition of Margaret J. Waddle, praying for divorce, by their chairman, Mr. Cranor, made report:

That having had the same under consideration, and failing to agree upon the merits, and the propriety of the Legislative Assembly acting upon it, under the circumstances, ask leave to report the same back to the House, with the recommendation that it be referred to a special committee, and that the judiciary committee be discharged from a further consideration of said petition.

On motion Mr. Shuck,
The report of the committee was adopted.

The committee on enrolled bills, by their chairman, Mr. Mack, reported,
H. B. 1, correctly enrolled.

The committee on elections, to whom was referred,
H. B. 9, Entitled, "A bill to amend an act entitled an act relating to elections and the manner of supplying vacancies in office," passed ——
By their chairman, Mr. Collard, reported to amend by striking out of section one, the word "three," and inserting in its place "five."

On motion,
The report was adopted.

Mr. Collard presented the report of the University Land Commissioner,
Which was read, and
On motion of Mr. Woodsides,
Laid on the table; and
One hundred copies ordered printed
The committee on ways and means, to whom was referred the report of L. F. Grover, and others, a former commission to superintend the erection of a suitable monument over the grave of Samuel R. Thurston, by their chairman, Mr. Brown of Jackson, made report by bill,
H. B. 15, Entitled, "A bill for the relief of Roberts and Shartle
Read a first time.
Also, by
H. J. R. 5, Relative to the appointment of a commission to take measures for the re-interment of Hon. Samuel R. Thurston.

Read first time.

Mr. Shuck introduced,

H. J. R. 6,

Resolved by the House, the Council concurring, That our Delegate in Congress be, and he is hereby instructed to use his influence to procure a sufficient appropriation to pay the expenses of the Territorial Convention that framed the Constitution of Oregon.

On motion,
The resolution was adopted.

Mr. Collard introduced,

H. J. R. 7,

Resolved by the House, the Council concurring, That a committee of three be appointed on the part of the House, and two on the part of the Council, to draft a memorial to Congress, asking that body to authorize the Territory, or future State of Oregon, to divert the University Fund to the support of common schools.

On motion,
The resolution was
Laid on the table.

H. B. 6, Entitled "A bill to incorporate the town of Salem;

Read a second time, and
On motion,
Laid upon the table.

H. B. 8, Entitled "A bill to allow a portion of the citizens of Douglas county to vote at the next June election, as to whether they desire to be attached to Umpqua county."

Read a second time; and
On motion,
Referred to committee on counties.

H. J. R. 2, Relative to the distribution of reports and other documents.

Read a third time; and

On motion,
Laid on the table.

On motion of Mr Hayden,
That H. B's 3 and 4 be referred to a select committee of three;
Adopted.

Speaker appointed
Messrs. Hayden, Hughes and Spear, said committee.

Mr. Cox introduced,
H. B. 16, Entitled "An act to establish Albany Academy."
Read first time.

C. B. 1, Entitled "An act to incorporate the Youth's Lyceum at Montville Institute,
Read a second time.

C. B. 3, Entitled "An act to establish a College at the town of Sublimity county of Marion;
Read second time; and
On motion,
Referred to committee on education.

Mr. Cranor gave notice,
That on some subsequent day of the session, he would introduce a bill to incorporate a canal and manufacturing company, at Albany, in Linn county.

On motion of Mr. Mack,
The amendment reported by the committee on elections, upon H. B. 9, was
Adopted.

On motion of Mr. Mack,
That the bill be engrossed, and
Read a third time to-morrow,
Adopted.

Mr. Gates gave notice,

That on some subsequent day of the session, he would introduce a bill to incorporate the Cascade railroad and transportation company.

On motion,
House adjourned.

AFTERNOON SESSION.

A message from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Dec. 18, 1857.

MR. SPEAKER:

The Council have passed bills of the following titles:

C. R. 6, A bill to amend chapter XI of Statutes of Oregon, entitled "offenses against chastity morality and decency."

C. B 7, A bill to incorporate the trustees of Trinity College.

C. B. 8, A bill granting Elizabeth R. Hines a divorce.

In which I am instructed to request the concurrence of the House.

THOS. B. MICOU,
Clerk of the Council.

C. B. 7,
Read first time.

On motion,
Rules were suspended, and bill
Read second time.

On motion,
Rules were further suspended, and
C. B. 7, Read third time.

The question being
"Shall the bill pass?"
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Spear, Whiteaker, Woodsides and Mr. Speaker—19.

Nays—Messrs. Allen, and Shuck—2.

So the bill passed.

C. B. 6, Entitled, "A bill to amend chapter XI of the Statutes of Oregon, entitled offenses against chastity morality and decency.
Read first time.

C. B. 8, Entitled A bill granting Elizabeth R. Hines a divorce.
Read first time.

Message from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Dec. 18, 1857.

MR. SPEAKERR.

I am instructed by the President of the Council to return
C. J. R. 3, In relation to forwarding to our Delegate in Congress, certain joint resolutions,
Which was read three times and passed the Council to-day, and to request that the House read the same a second and third time, if agreeable to their wishes.

THOS. B. MICOU,
Chief Clerk.

On motion,
Rules suspended, and
The resolution was read a second and third time.
Question being
Shall the resolution pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Shuck, Spear, Whiteaker, Woodsides and Mr. Speaker—21.

Nays—None.

So the bill passed.

Speaker appointed, as committee to visit the penitentiary during the Holidays:

Messrs. Cranor and Gates.

On motion,
House adjourned, to meet at nine o'clock to-morrow morning.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Friday, Dec. 17, 1857.

CHAS. B. HAND,
Chief Clerk.

SATURDAY, DECEMBER 19, 1857.

House met, pursuant to adjournment.

Present—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Hill, Jeffers, Mack, Matthews, Spear, Whiteaker, Woodsides and Mr. Speaker.

Absent—Messrs. Belknap, Cranor, Dryer, Gilliland, Gates, Hayden, Hughes, Johnson, King, Kirkpatrick, Rees, Shuck, Slater and Warren.

Journal of yesterday read, corrected and approved.

The Speaker announced he had signed
H. B. 1, Entitled "A bill to relocate a part of the Territorial road leading from Salem, by way of Matheny's Ferry, and Weston, to Dayton.

Mr. Woodsides presented,
Petition of William Morris, and forty-five others.
On motion,
Referred to committee on roads and highways.

Committee on engrossed bills reported,
H. B. 9, correctly engrossed.

On motion of Mr. Dryer,

House adjourned until Tuesday, January 5th, 1858, at ten o'clock, A. M.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Saturday, Dec. 19, 1857.

CHAS. B. HAND,
Chief Clerk.

TUESDAY, JANUARY 5, 1858.

The House met pursuant to adjournment.

Present—Messrs. Able, Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gates, Hayden, Hughes, Johnson, King, Mack, Shuck, Spear, Woodsides and Mr. Speaker.

Absent—Messrs. Belknap, Brown of Linn, Dryer, Gilliland, Hill, Jeffers, Kirkpatrick, Matthews, Rees, Slater, Whiteaker and Warren.

Journal of Saturday, December 19th, 1857, read and approved.

Mr. Cranor presented,

The petition of Hugh Dinwiddie, and two others, relative to the vacation of a portion of the town-plat of Union Point.

Ordered, That said petition be referred to the committe on roads and highways.

By Mr. Johnson,

The petition of Mrs. Ann Cresson, signed by Joseph L. Edwards, and sixty-six others, praying for divorce of said Mrs. Ann Cresson, and that she be appointed guardian of her son.

On motion,

Referred to a select committee,

Speaker appointed,

Messrs. Johnson, Mack and Able, said committee.

By Mr. Cranor,

The petition of John Wilson, and forty-two others, praying for a review of Territorial road leading from Oregon City to Pleasant Hill.

Ordered, That said petition be
Referred to committee on roads and highways.

By Mr. Collard,

The petition of N. Robbins, and seventy-seven others,

Also, of Daniel Sebastion, and eight others, praying that the Territorial road leading from Oregon City, which intersects the Territorial road leading from Portland to Corvallis, be vacated.

Also, a remonstrance to the same, signed by D. J. Schnebly, and eight others.

Ordered, That said petitions and remonstrance be
Referred to the committee on roads and highways.

By Mr. Cole,

The petition of the citizens of Douglas and Umpqua counties, praying for the alteration of the boundary line between said counties.

Ordered, That said petition be
Referred to the committee on elections.

By Mr. Cranor,

The petition of Samuel Porter, and seventeen others, praying that a certain highway, running from Wm. L. Armstrong's land claim to Brownsville, in Linn county, be legalized.

Ordered, That said petition be
Referred to the committee on roads and highways.

The select committee, to whom was referred the petition of Josiah Suttle, by the chairman, Mr. Collard, made report, by

H. B. 17, Entitled "A bill for the relief of Josiah Suttle."

Read first time.

The committee to whom was entrusted the duty of visiting the penitentiary, at Portland, and report improvements, &c., by Mr. Cranor, made report; which report was

Laid on the table, and
Five hundred copies ordered printed.

Mr. Woodsides introduced,

The statement of Chester N. Terry, Secretary of the late Constitutional Convention, relative to the number and names of the delegates to said Convention, the number of days in attendance, the mileage of each delegate and officer of said body and the accounts of expenses incurred in fitting up and furnishing a room for their sessions.

Ordered, That said statement be
Referred to Committee on Claims.

Message from the Council, by Mr. Micou, their Clerk:

COUNCIL CHAMBER, Jan 5, 1858.

MR. SPEAKER:

As instructed I herewith transmit

H. B. 2, Entitled A bill for the relief of Thomas Pyle, sheriff of Jackson county.

In which the Council has concurred,

Also, C. B.'s 4 and 5, which have passed the Council, and in which the concurrence of the House is requested.

THOS. B. MICOU
Chief Clerk.

C. B. 4, Entitled a bill to amend Chap. III, of Statutes of Oregon, of offenses against the lives and persons of individuals.

Read first time.

C. B. 5, Entitled a bill to amend chapter IV, of Statutes, entitled Of offenses against property.

Read first time.

H. B. 10, Entitled An act to amend an act entitled an act relating to estrays and property lost or unclaimed.

Read second time, and
Laid upon the table.

H. B. 11, Entitled "An act for the relief of James Hendershott, Sheriff of Josephine county."

Read second time, and
On motion of Mr. Shuck,
Ordered engrossed, and
Read a third time to-morrow.

H. B. 12, Entitled "An act to amend the road law;"
Read second time, and
On motion,
Referred to committee of the whole.

H. B. 13, Entitled "An act to amend an act relating to parents, children, wards and to masters, apprentices, and servants," passed December 15, 1853.
Read second time, and
Referred to committee of the whole.

H. B. 14, Entitled, "An act declaring certain acts of School District number four, in Douglas county, legal."
Read second time, and
On motion,
Referred to Judiciary committee.

H. B. 15, Entitled, A bill for the relief Roberts and Shartle.
Read second time, and
Referred to committee on claims.

H. B. 16, Entitled A bill to establish Albany Academy.
Read second time, and
On motion,
Ordered engrossed, and
On motion,
Read third time to-morrow.

H. J. R. 5, Relative to the appointment of joint committee to take measures for the re-interment of Hon. Samuel R. Thurston, &c.
Read second time, and
Referred to Committee on ways and means.

C. B. 6, Entitled, A bill to amend chapter XI, of the Statutes of Oregon, entitled "offenses against chastity, morality and decency.

Read second time, and
On motion,
Referred to committee of the whole.

C. B. 8, Entitled, A bill granting Elizabeth R. Hines a divorce.
Read second time, and
Referred to committee of the whole.

H. B. 9, Entitled "A bill to change the time allowed by law for making election returns."
Read third time.

The question being upon the final passage of the bill,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Able, Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Hill, Hayden, Hughes, Jeffers, Mack, Matthews, Whiteaker and Mr. Speaker—16.

Nays—Messrs. Gates, Johnson, King, Spear and Woodsides—5.

So the bill passed.

On motion,
The House adjourned.

AFTERNOON SESSION.

C. B. 1, Enitled An act to incorporate the Youth's Lyceum, at Montville Institute.

Read third time, and
On motion,
Laid upon the table.

On motion of Mr. Able,
That the vote on the final passage of H. B. 9, be reconsidered.
The motion was not adopted.

On motion of Mr. Spear,
That the vote on the final passage of C. B. 7, be reconsidered.
Motion adopted.

On motion of Mr Allen,
The bill was referred to the committee on corporations, with liberty to sit during the session of the House.

On motion of Mr. Brown, of Jackson,
That the committee be instructed to limit the yearly income to fifty thousand dollars.
Motion adopted.

Mr. Cranor gave notice,
That on to-morrow, or subsequent day of the session, he would introduce a bill to incorporate the Grand Lodge of the Independent Order of Odd Fellows, of the Territory of Oregon.

Mr. Cranor introduced,
H. B. 18, Entitled, A bill to incorporate the Albany Canal and Manufacturing Company.
Read first time.

Mr. Jeffers introduced,
H. B. 19, Entitled A bill to authorize the election of supervisors.
Read a first time.

Mr. Spear gave notice,
That on to-morrow, or some subsequent day of the session, he would introduce a bill to increase the per diem of assessors in Josephine county.

Mr. Hughes introduced,
H. B. 20, Entitled A bill to amend chapter X, of Oregon Statutes, entitled gaming.
Read first time.

The committe on corporations to whom was referred
C. B. 7, Entitled A bill to incorporate the trustees of Trinity School,
Reported the same to the House with amendments.

Which amendmendments and report were
Adopted.

On motion of Johnson,
That the bill be indefiinitely postponed.
The motion was lost

The bill, as amended, was put upon its final passage.

Question being
"Shall the bill pass?"
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Shuck, Spear, Whiteaker, Woodsides and Mr. Speaker—20.

Nays—Messrs. Cole and Johnson—2.

On motion,
House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Tuesday, Jan. 5, 1857.

CHAS. B. HAND,
Chief Clerk.

WEDNESDAY, JANUARY 6, 1857.

The House met pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Dryer, Gilliland, Kirkpatrick, Mack and Warren.

Journal of yesterday, read and approved.

Speaker declared the final vote on C. B. 7, which was pending at the adjournment of the House to be

Yeas—20. *Nays*—2.

So the bill passed.

The following petitions were handed to the Clerk and read, under the twelfth rule of this House, to-wit:

By Mr. Gates,

The petition of Wm. C. Laughlin, and fifty-nine others, praying for the passage of a special act to prohibit swine running at large in Wasco county.

Ordered, That said petition be
Referred to select committee of three.

Speaker appointed,
Messrs. Gates, Jeffers and Matthews, said committee.

By Mr. Cooley,

The petition of Asahel Bush, printer to the Constitutional Convention.

Ordered, That said petition be
Referred to the committee on ways and means.

By Mr. Hayden,

The petition of H. Lucas, and forty others, praying the Legislature to memorialize Congress to grant to the Monmouth University, in Polk county, one or two townships of land.

Ordered, That said petition be

Referred to a select committee of three, with instructions to memorialize Congress, as requested.

Speaker appointed,
Messrs. Hayden, Spear and Slater, said committee.

By Mr. Shuck,
The petition of Lavina Chrisman, for divorce.

Ordered, That said petition be
Referred to a select committee of three.

Speaker appointed
Messrs. Cox, Brown of Jackson and Shuck, said committee.

By Mr. Cox,
The petition of Philester Lee, and Eliza Ann Lee, praying for divorce.

Ordered, That said petition be
Referred to the same committee.

By Mr. Whiteaker,
The petition of James Watson, and seventeen others, praying for the removal of a portion of the Territorial road leading from Brownsville, in Linn county, to the Calapooia mountain.

Ordered, That said petition be
Referred to a select committee of three.

Speaker appointed
Messrs. Whitaker, Rees and King, said committee.

Mr. Hayden presented
A report of the Territorial Auditor.

Ordered, That said report be
Laid on the table; and
One hundred copies ordered printed.

The committee on education, to whom was referred C. B. 3, by their chairman Mr. Woodsides, made report of the same back to the House,

with two amendments, and recommended the passage of the bill, with amendments.

On motion,
The amendments and report were
Adopted.

The joint committee on enrolled bills, reported
C. J. R. 3, Correctly enrolled.

Mr. Brown, of Jackson, gave notice,

That on some subsequent day of the session, he would introduce a bill to locate a Territorial road leading from a point at, or near, Table Rock, in Jackson county, up Evans' creek, crossing the South Umpqua river, at a point above Day's creek, and from thence, on the most practicable route, to Roseburg, in Douglas county.

Also, . .

Of the introduction of a bill to incorporate the Applegate mining, milling, irrigating water-ditch company, in Jackson county.

H. B. 11, Entitled an act for the relief of James Hendershott, sheriff of Josephine county.

Read third time.

The bill being upon its final passage;
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker—26.

Nays—None.

So the bill passed.

H. B. 16, Entitled An act to establish Albany Academy.

Read a third time.

The bill being upon its final passage,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown, of Linn, Brown, of Jackson,

Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker—26.

Nays—None.

So the bill passed.

On motion,
House adjourned.

AFTERNOON SESSION.

C. B. 3, Entitled An act to establish a College at the town of Sublimity county of Marion;
Read third time.

The question being
"Shall the bill pass?"
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker.—26.

Nays—None.

So the bill passed.

The committee of ways and means, to whom was referred H. J. R. 5, made report, by substitute, to the same and also submitted a proposition of Messrs. Roberts and Shartle, to carry out the measures required by said joint resolution.
Which report and substitute were
Adopted.

And the resolution ordered engrossed, and
Read a third time to-morrow.

The proposal was
Laid on the table.

Messages from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Jan. 6, 1858.

MR. SPEAKER:

The President of the Council has signed

H. B. 1, Entitled an act to relocate a part of the Territorial road leading from Salem, by way of Matheny's Ferry and Weston, to Dayton.

Which I herewith transmit.

THOS. B. MICOU,
Clerk of the Council.

COUNCIL CHAMBER, Jan. 6, 1858.

MR. SPEAKER:

As instructed by the President of the Council, I herewith transmit the enrolled C. J. R. 3, for your signature.

THOS. B. MICOU,
Chief Clerk.

H. B. 21, Entitled, A bill to incorporate the Grand Lodge of the Independent Order of Odd Fellows, of the Territory of Oregon.

Was introduced by Mr. Cranor, and

Read first time.

On motion,

H. J. R. 4, Relative to the postal arrangements at Astoria, in Clatsop county,

Was taken from the table, and

Read second time.

On motion of Mr. Mack,

That the resolution be amended, by erasing the preamble, and also, erasing all in the resolution between the word "have," in the second line, and the words "the incorporated," in the third line and inserting, in lieu thereof "an office of deposit established in" and also to erase all after the word county in the fourth line.

Pending which,

On motion,
House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Wednesday, Jan. 6, 1858.

CHAS. B. HAND,
Chief Clerk.

THURSDAY, JANUARY 7, 1858.

House met, pursuant to adjournment.

Absent — Messrs. Belknap, Dryer, Kirkpatrick, Woodsides and Warren.

Journal of yesterday read, and approved.

The following petitions were handed to the Clerk, and read, under the twelfth rule of the House.

By Mr. Shuck,
The petition of Eveline Hess, praying for the passage of a law to change her name to that of Jones, which was
Referred to a select committee.

Speaker appointed
Messrs. Shuck, Gilliland and Hughes, said committee.

By Mr. King,
The petition of James Bothwell, praying that his marriage with Rhoda Ann Harris be declared legal.

Ordered, That said petition be
Referred to a select committee of three.

Speaker appointed
Messrs. King, Cooley and Hill, said committee.

By Mr. Cole,

The petition of C. L. Spores, and seventy others, praying that a portion of the Territorial road in Umpqua county be vacated.

Also,

A remonstrance to the same, signed by R. Stape, and thirty others.

Also,

The petition of J. H. Minars, and thirty others, praying for the vacation of the same road.

Ordered, That said petition and remonstrance be
Referred to committee on roads and highways.

By Mr. Allen,

The petition of M. R. Crisp, and forty-seven others, praying for the passage of a law for the protection of property in slaves in this Territory.

Ordered, That said petition be
Laid upon the table.

By Mr. Rees,

The petition of W. D. Woodcock, and five others, praying that a charter be granted to Harrison Wright, to build a bridge across the Molalla river in Clackamas county.

Ordered, That said petition be
Referred to the committee on roads and highways.

By Mr. Shuck,

The petition of T. Bayley, and twenty-eight others, praying that a special election be held in Yamhill county, on the last Monday in June, next.

Ordered, That said petition be
Referred to committee on counties.

The judiciary committee, to whom was referred
H. B. 5,
Reported the same back with amendments.
Also, H. B. 7,
Reported back with amendments

On motion,
The reports were accepted.

Mr. Cox, chairman of committee on roads and highways introduced,
H. B. 22, Entitled An act to change a portion of the Territorial road leading from Salem to McDonald's ferry, in Marion county.
Read first time.

Also,
H. B. 23, Entitled A bill to legalize the location of a county road.
Read first time.

Mr. Brown, of Jackson, introduced
H. B. 24, Entitled A bill to incorporate the Applegate mining, milling and irrigating water-ditch company.
Read first time.

The select committeee, to whom was referred the petition of Mrs. Elva Ann Cresson, by their chairman, Mr. Johnson, made report by
H. B. 25, Entitled A bill to divorce Mrs. T. Elva Ann Cresson.
Read first time.

Mr. Cole introduced
H. B. 26, Entitled An act authorizing Charles F. Putnam, and others, to open a wagon-road down Elk river, in Umpqua county.
Read first time.

Mr. Jeffers introduced,
H. B. 27, Entitled A bill to confirm an act to create public administrators, passed January 29, 1856.
Read a first time.

Mr. Collard gave notice,
That on to-morrow, or some subsequent day of the session, he would introduce a bill to amend an act in relation to the assessment and collection of taxes, passed January 24, 1856.

Mr. Johnson gave notice,
That on to-morrow or some subsequent day of the session, he would

introduce a bill to amend an act entitled an act to locate a Territorial road from Linn City, in Clackamas county, to Hillsborough, in Washington county.

Mr. Hughes gave notice,

That on to-morrow, or some subsequent day of the session, he would introduce a bill to more effectually prohibit the sale of firearms and spirituous liquors to the Indians.

By permission,

Mr. Slater introduced,

H. B. 28, Entitled A bill to amend an act entitled an act to incorporate the town of Corvallis.

Read first time.

Mr. Slater also introduced the following preamble and resolution:

H. R. 23,

WHEREAS, This House, on a previous day of the session, invited, by resolution, to seats within the bar of the House, the reporters of the respective papers of the Territory; and

WHEREAS, It was but reasonable to expect that the recipients of said invitation would give to the country through the papers, for which they report a fair and impartial account of the remarks made by members and the transactions of this body without distinction of party, or catering to party predilections; and

WHEREAS, W. W. Page, reporter for the "Oregon Statesman," has given in his reports published in said paper, an "ex parte" report of the remarks of members in such a manner as is evidently intended and designed to convey to the country false impressions of the transactions of this body, and set a portion of its members in a false and ridiculous position before their constituency, and the country; Therefore,

Resolved, That said Page has violated all rules which should govern reporters in such cases, and henceforth he be debarred from all the privileges intended to be conferred on reporters by the resolutions heretofore passed by this body, inviting the reporters of the respective papers of the Territory to seats within the bar of the House.

On motion,

That the resolution be laid upon the table;

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Brown of Jackson, Collard, Cole, Gilliland, Hill, Hughes, Jeffers, Johnson, Mack, Rees, Shuck, Slater, Whiteaker and Mr. Speaker—15.

Nays—Messrs. Able, Brown of Linn, Cox, Cranor, Cooley, Gates, Hayden, King, Matthews, and Woodsides—10.

So the resolution was
Laid on the table.

Mr. King gave notice,
That on to-morrow or some subsequent day of the session, he would introduce a bill to amend the city charter of the city of Portland.

Mr. Johnson gave notice,
That on to-morrow, or some subsequent day of the session, he would introduce a bill for the relief of school district No. 25, in Washington county.
Also,
A bill to incorporate the Tualitin river bridge, at Taylor's Ferry.

On motion of Mr. Woodsides,
That, in accordance with the report of the judiciary committee, on the petition of Margaret J. Waddle, the select committee be appointed, and the said petition be referred to the committee.
The motion was adopted.

Speaker appointed
Messrs. Woodsides, Allen and Cox, said committee.

Mr. Cole introduced,

H. R. 24,

Resolved, by the House, That the use of the Hall be tendered to Mr. N. T. Caton, on Sunday next, at eleven o'clock, A. M., and also Sunday evening for the purpose of preaching.
Adopted.

Mr. Hayden gave notice,

That on to-morrow, or some subsequent day of the session, he would introduce a bill for the relief of John H. Lewis, Treasurer of Polk county.

H. B. 17, Entitled, A bill for the relief of Josiah Settle.
Read a second time, and
On motion,
Ordered engrossed, and
Read a third time to-morrow,
H. B. 18, Entitled, A bill to incorporate the Albany Canal and Manufacturing Company.
Read second time; and
Ordered, That said bill be
Referred to the judiciary committee.
With instructions to amend the same by inserting a repealing clause.

Mr. Brown, of Jackson, introduced
H. J. R. 8,

Resolved by the House of Representatives, the Council concurring—That the clergy of Salem be requested to preach in the Representatives' Hall, on Sundays Tuesdays and Fridays of each week, and that the sum of one thousand dollars be and is hereby appropriated, out of any moneys in the Territorial Treasury, not otherwise appropriated to defray the expenses of the same.

On motion of Mr. King,
That the resolution be rejected;
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cranor, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, King, Rees, Spear, Whiteaker, Woodsides, Shuck and Mr. Speaker—19.

Nays—Messrs. Brown of Jackson, Ceoley, Johnson, Mack, and Matthews—5.

So the resolution was rejected.

The vote on the adoption of
H. R. 24, was reconsidered.

On motion of Mr. Brown, of Jackson,

That said resolution be rejected;

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Slater and Woodsides—21;

Nays—Messrs Cox, Johnson, Shuck, Whiteaker and Mr. Speaker—5.

So the resolution was rejected.

On motion,

House adjourned.

AFTERNOON SESSION.

H. B. 19, Entitled A bill to authorize the election of supervisors.

Read a second time; and

Referred to committee on roads and highways.

H. B. 20, Entitled A bill to amend chapter X, of Oregon Statutes, entitled gaming.

Read second time, and

Referred to committee of the whole.

C. B. 4, Entitled a bill to amend Chap. III, of Statutes of Oregon, of offenses against the lives and persons of individuals.

Read second time, and

Referred to committee of the whole.

C. B. 5, Entitled a bill to amend chapter IV, of Statutes of Oregon, entitled, Of offenses against property.

Read second time, and

Referred to committee of the whole.

H. J. R. 5, Relative to the appointment of joint committee to take measures for the re interment of Hon. Samuel R. Thurston, &c.

Read third time.

Question being,
Shall the resolution pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker—26.

Nays—None.

So the resolution passed.

Ordered, That the Clerk request the concurrence of the Council therein.

On motion of Mr. Brown, of Jackson,
That H. R. 23, be taken from the table, that further business be dispensed with, and the resolution be investigated.
Motion adopted.

On motion of Mr. Slater,
That the resolution be adopted.

Pending which;
After much debate,
The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Tuesday, Jan. 7, 1858.

CHAS. B. HAND,
Chief Clerk.

FRIDAY, JANUARY 8, 1858.

The House met pursuant to adjournment.

On motion of Mr. King,

That the reading of the Journal be dispensed with, and the House adjourn until 7 o'clock this evening.

The motion was adopted; and

The House adjourned.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Warren, member from Columbia county, appeared, was qualified as a member of this House, and took his seat.

Absent—Messrs. Belknap, Cole, Dryer, Jeffers, Kirkpatrick, Spear and Slater.

Journal of yesterday, read and corrected.

On motion of Mr. Brown, of Jackson,

That the rules be dispensed with, and the House proceed to consider H. R. 23, Relative to the expulsion of W. W. Page, reporter for the Oregon Statesman.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cooley, Cranor, Collard, Gilliland, Gates, Hayden, Hughes, King, Mack, Matthews, Rees, Whiteaker, Woodsides and Mr. Speaker—18

Nays—Messrs. Allen, Hill, Johnson and Shuck—4.

Mr. Warren having been excused from voting.

So the motion was adopted.

The question recurring upon agreeing to the resolution,
Pending debate thereon,
Mr. Allen arose, and called Mr. Brown of Jackson to order, under Rule 14 of the House, prohibiting personality; stating that he, Mr. Brown, stated that he, Mr. Allen, had murdered the king's English.

The Speaker decided,
That Mr. Brown was in order.

Pending further debate on said resolution,
Mr. Rees submitted an amendment, in the nature of a substitute therefor, to-wit:

Resolved, That this House disapprove of the course pursued by Mr. Page, in giving incorrect and partial reports of its proceedings.

Mr. Shuck moved,
The call of the House.

The question being put,
Was decided in the negative.

Mr. Rees arose, to a point of order, viz:
That any member may have a call of the House without a vote.
The Speaker decided,
That the call of the House was in order, without a motion.

The Clerk proceeded to call the roll for absent members.
Pending which,
On motion of Mr. Woodsides,
The further call of the roll was dispensed with.

The question being upon the amendment heretofore submitted by Mr. Rees,
The yeas and nays being demanded, resulted as follows.

Yeas—Messrs. Allen, Hill, Johnson, Rees and Shuck—5.

Nays—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hayden, Hughes, King, Mack, Matthews, Spear, Whiteaker, Woodsides and Mr. Speaker—18.

So the amendment was lost.

The question recurring upon the resolution,
H. R. 23,
After debate,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Hill, and Shuck—3.

Nays—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gates, Hayden, Hughes, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides and Mr. Speaker.—18.

So the resolution was lost.

Mr. Brown, of Jackson, introduced,

H. R. 25,

Resolved by the House of Representatives, That the thanks of this House are eminently due to Mr. W. W. Page, for the very able, efficient and correct manner in which he has reported the proceedings of this House, in the "Oregon Statesman" newspaper.

Mr. Mack moved,
The previous question;
Which was not seconded.

On motion of Mr. Woodsides,
House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Friday, Jan. 8, 1858.

CHAS. B. HAND,
Chief Clerk.

SATURDAY, JANUARY 9, 1858.

House met, pursuant to adjournment.

Absent — Messrs. Belknap, Dryer, Jeffers, Kirkpatrick, Slater and Woodsides.

Journal of yesterday read, and approved.

The following petitions were handed to the Clerk, and read, under the twelfth rule of the House.

By Mr. Brown of Linn,
The petition of Sarah Sales, praying for divorce.

Ordered, That said petition be
Referred to a select committee of three.

Speaker appointed
Messrs. Brown of Linn, King and Gilliland, said committee.

By Mr. Johnson,
The petition of Miles Davis, and twenty-five others, praying for the location of a Territorial road from where the Dayton road crosses the Chehalem creek, to Portland; which was
Referred to committee on roads and highways.

By Mr. Spear,
The petition of E. R. Crane, and thirty-two others, praying that a charter be granted to John W. Fields, to construct a wagon-road from Browntown to Platter's Ranch, in Illinois valley.

Ordered, That said petition be
Referred to a select committee of three.

Speaker appointed
Messrs. Spear, Cole and Matthews, said committee.

The judiciary committee, to whom was referred
H. B. 14,

Reported the same back without amendments, and recommended its passage.

Also, H. B. 18,

Reported back with amendments, and recommended that the bill, as amended, do pass.

On motion,

The report and amendments were

Adopted.

The bills ordered engrossed, and

Read a third time on Monday.

The committee on counties, to whom was referred

H. B. 8,

Reported the same back without amendments, and recommended its passage.

Ordered, That said bill be engrossed and

Read third time on Monday.

By the same committee, to whom was referred the petition of citizens of Umpqua and Douglas counties, praying for a change in the county line dividing said counties, made report by bill,

H. B. 29, Entitled A bill to change the line between Umpqua and Douglas, counties; which was

Read a first time

The select committee to whom was referred

The petition of Eviline Hess, made report by bill,

H. B. 30, Entitled An act to change the name of Eviline and Douglas D. Hess.

Which was

Read first time.

The select committee, to whom was referred

The petition of Wm. Laughlin, and others, citizens of Wasco county, made report by bill,

H. B. 31, Entitled A bill concerning swine running at large in Wasco county.

Which was

Read first time.

The select committee to whom was referred

The petition of James Bothwell, made report by bill,

H. B. 32, Entitled A bill to divorce James Bothwell and Elizabeth Bothwell, and to legalize the marriage of James Bothwell with Rhoda Ann Harris.

Which was

Read first time.

The select committee to whom was referred

The petitions of Philester and E. A. Lee, and Lavina Christman, made report by bills,

H. B. 33, Entitled A bill to divorce the bonds of matrimony heretofore existing between Philester Lee, and Eliza Ann Lee.

Which was

Read first time.

H. B. 34, Entitled A bill to divorce the bonds of matrimony heretofore existing between Lavina Chrisman and Joel Chrisman.

Which was

Read a first time.

On motion of Mr. Allen,

That the report be adopted, and five hundred copies ordered printed

Which motion was not adopted.

Mr. Cox introduced,

H. B. 35, Entitled An act to change a Territorial road in Linn county.

Which was

Read first time.

Mr. King introduced,

H. B. 36, Entitled A bill to amend an act entitled "an act to incorporate the city of Portland.

Which was

Read first time.

Mr. Whiteaker introduced,

H. B. 37, Entitled A bill to relocate a portion of the Territorial road leading from Brownville, in Linn county to the Calapooia mountain.

Which was
Read first time.

Mr. Allen, on leave, introduced,
H. B. 38, Entitled A bill to provide for the protection of slave property.
Which was
Read first time.

Mr. Johnson introduced,
H. B. 39, Entitled A bill for the relief of school district number twenty-five, in Washington county.
Which was
Read first time.

Mr. Gates introduced the following resolution:
H. R. 26,
Resolved, That the committee on military affairs be and they are hereby instructed to inquire into the expediency of petitioning the President of the United States, or other proper departments, for the removal of the military line established in the eastern portion of our Territory by the officer in command of the Pacific Division of the United States Army.

On motion,
The resolution was adopted.

Mr. Collard introduced,
H. B. 40, Entitled A bill in relation to assessment and collection of taxes.
Which was
Read first time.

Mr. Rees introduced,
H. B. 41, Entitled, A bill in relation to advertising in counties.
Read first time.

Mr. Johnson introduced,
H. B. 42, Entitled A bill to provide for the erection of a bridge across the Tualitin river.

Read first time.

Mr. Spear introduced,

H. B. 43, Entitled An act to amend an act entitled an act to tax and protect Chinamen mining in Oregon.

Read first time.

H. B. 21, Entitled, A bill to incorporate the Grand Lodge of the Independent Order of Odd Fellows, of the Territory of Oregon.

Read second time, and

Ordered engrossed, and

Read a third time on Monday.

H. B. 22, Entitled An act to change a portion of the Territorial road leading from Salem to McDonald's ferry, in Marion county.

Read second time, and

Ordered engrossed and

Read third time on Monday.

H. B. 23, Entitled A bill to legalize the location of a county road.

Read second time, and

Ordered engrossed, and

Read a third time on Monday.

H. B. 17, Entitled "A bill for the relief of Josiah Suttle."

Read third time.

The question being

"Shall the bill pass?"

Pending debate thereon,

On motion,

House adjourned.

AFTERNOON SESSION.

The question on the final passage of H. B. 17, still pending.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cooley, Collard, Cole, Gilliland, Hill, Johnson, King, Matthews. Rees, Shuck, Whiteaker and Warren—16.

Nays—Messrs Brown of Jackson, Cranor, Gates, Hughes, Mack, Spear, Woodsides and Mr. Speaker—8.

So the bill passed.

Messages from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Jan. 9, 1858.

MR. SPEAKER:

The Council concur in

H. J R 6, Requesting our Delegate in Congress to procure an appropriation to pay the expenses of the Territorial Convention to frame the Constitution of Oregon.

THOS. B. MICOU,
Clerk of the Council.

COUNCIL CHAMBER, Jan. 7, 1858.

MR. SPEAKER:

The Council has passed bills of the following titles, viz:

C. B. 10, To incorporate the Grand Lodge of Ancient Free and Accepted Masons.

C. B. 11, For the relief of school district No. 32, in Marion county.

Which bills are transmitted, requesting the concurrence of the House.

The Council has also passed the accompanying bill, H. B. 9.

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Jan. 9, 1858.

MR. SPEAKER:

The Council has passed bills of the following titles, viz:

C. B. 13, A bill to provide for the incorporation of improving the breed of domestic animals.

C. B. 14, An act to incorporate the Rogue river bridge company.

C. B. 23, A bill to change a portion of the Territorial road leading from Oregon City to Jacob Spores' in Lane county.

C. B. 24, A bill to grant Kitturah Teft a divorce.

C. B. 26, A bill granting Melinda Russel a divorce.

C. B. 27, An act to grant Francis D. Smith a divorce.

In which I am directed to ask the concurrence of the House.

The Council has also passed the bill of the House,

H. B. 16, Entitled A bill to establish Albany Academy.

Also,

H. J. R. 5, Relative to the appointment of a commission to take measures for the re-interment of Hon. Samuel R. Thurston.

THOS. B. MICOU.
Chief Clerk.

Accordingly, the Council Bills No's 10, 11, 13, 14, 23, 24, 26 and 27, were

Read first time.

The Speaker announced he had signed

H. B. 2, H. J. R. 3, and C. J. R. 3.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Able,

That the annual report of the Territorial Auditor be taken from the table,

Motion adopted.

Mr. Able moved,

That as much thereof as relates to the Treasury department be referred to the committee on ways and means;

As much thereof as relates to the Superintendent of common schools, be referred to the committee on education;

As much thereof as relates to the protection and taxing of Chinamen mining in Oregon, be referred to the committee on ways and means;

And as much thereof as relates to the fees of sheriffs, etc, be referred to the committee on ways and means;

The motion was adopted.

On motion of Mr. Mack,

H. J. R. 2, Relative to the distribution of reports and other documents;

Was taken from the table.

On motion,

The resolution was considered engrossed, and

Read third time.

Question being

Shall the resolution pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs Able, Allen, Brown of Jackson, Cooley, Cole, Hill, Johnson, King, Mack, Matthews, Spear and Warren—13.

Nays—Messrs. Brown of Linn, Cox, Cranor, Collard, Gilliland, Gates, Rees, Shuck, Whiteaker, Woodsides and Mr. Speaker—11.

So the resolution was adopted.

On motion,

House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Saturday, Jan. 9, 1858.

CHAS. B. HAND,
Chief Clerk.

MONDAY, JANUARY 11, 1858.

House met, pursuant to adjournment.

Absent — Messrs. Belknap, Dryer, Hayden, Jeffers and Kirkpatrick.

Journal of yesterday read, and approved.

On motion of Mr. Brown, of Jackson,

That the rules be suspended, and the committee's report of the visit to the penitentiary be taken from the table.

Not adopted.

The committee on engrossed bills by Mr. Matthews reported that the committee had examined and found duly engrossed bills of the following titles:

H. B. 8, Entitled "A bill to allow a portion of the citizens of Douglas county to vote at the next June election, as to whether they desire to be attached to Umpqua county."

H. B. 14, Entitled, "An act declaring certain acts of School District number four, in Douglas county, legal."

H. B. 18, Entitled, A bill to incorporate the Albany Canal and Manufacturing Company.

H. B. 21, A bill to incorporate the Grand Lodge of the Independent Order of Odd Fellows, of the Territory of Oregon.

H. B. 22, A bill to change a portion of the Territorial road leading from Salem to McDonald's Ferry, in Marion county.

H. B. 23, A bill to legalize the location of a county road.

Mr. Cox, from the committee on roads and highways, to whom was referred the petition of W. D. Woodcock, and others, praying for a charter to build a bridge across the Molalla river, reported the same back to House, with the recommendation that the prayer of the petitioners be not granted.

On motion,
The report was adopted.

Mr. Cox, from the same committee, to whom was referred the petitions and remonstrance in regard to the changing of a Territorial road in Umpqua and Douglas counties, made report by bill,

H. B. 44, Entitled A bill to change the location of a part of the Territorial road from Corvallis to Winchester in the counties of Umpqua and Douglas.

Which was
Read first time.

Mr. Woodsides, from select committee to whom was referred the petition of Margaret Waddle for divorce, made report by bill,

H. B. 45, Entitled An act granting to Margaret Waddle, a divorce.

Which was
Read first time.

On motion of Mr. Cranor,
The committee's report of the visit to the penitentiary was taken from the table, and
Referred to Committee on ways and means.

Mr. Cole introduced

H. J. R. 9, Requesting our Postal Agent to use his influence with the Post Master General, and the distributing post master, at San Francisco, to cause the mails sent from the States to the post offices in Umpqua and Douglas counties, be sent by the way of Umpqua City.

The resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Brown, of Jackson, introduced

H. B. 46, Entitled A bill to locate a Territorial road leading from near Fort Lane, in Jackson county, to Roseburg, in Douglas county.

Read first time.

Mr. Brown, of Jackson, introduced the following resolution:

H. J. R. 10,

Resolved, by the House, the Council concurring, That a committee of two members from the House, and one member from the Council, be appointed by the Chair of each House, to draft a memorial to the Congress of the United States, in behalf of Mrs. Mary A. Harris, praying that body to grant her a pension for her gallant defense of her wounded husband and child against a numerous band of hostile Indians, on Oct. 9th and 10th, 1855, during the Indian hostilities in Rogue river valley.

On motion,
The resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Whiteaker introduced,
H. B. 47, Entitled An act authorizing the Territorial Printer to furnish to the Secretary copies of the Statutes of Oregon.
Read a first time.

On motion Mr. King,
Rules were suspended, and bill
Read a second time.

On motion of Mr. Slater,
The words "fifty copies" were inserted in the first blank, and the words "one hundred and fifty" in the second blank.

On motion of Mr. King,
It was ordered that the
Rules be further suspended, and
The bill be considered engrossed, and
Read a third time now.

Accordingly the bill was
Read third time.

Question being
"Shall the bill pass?"
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes,

Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Gilliland gave notice,

That on to-morrow, or some subsequent day of the session, he would introduce a bill for the report of an act entitled an act to change the compensation of judges and clerks of elections, passed Jan. 18, 1856.

H. B. 24, Entitled A bill to incorporate the Applegate mining, milling and irrigating water-ditch company.

Read a second time; and

Referred, with petition and remonstrance, to the committee on corporations.

H. B. 25, Entitled A bill to divorce Mrs. T. Elva Ann Cresson.

Read second time.

Ordered engrossed, and

Read third time to-morrow.

H. B. 26, Entitled A bill authorizing Chas. F. Putnam, and others to open a wagon road down Elk river in Umpqua county.

Read second time; and

Ordered, That said bill be engrossed and

Read a third time to-morrow.

H. B. 27, Entitled A bill to confirm an act to create public administrators, passed January 29, 1856.

Read second time, and

Ordered, That said bill be

Referred to Judiciary committee.

H. B. 28, Entitled A bill to amend an act entitled an act to incorporate the town of Corvallis

Read second time, and

Ordered, That said bill be
Referred to judiciary committee.

C. B 10, Entitled A bill to incorporate the Grand Lodge of Ancient Free and Accepted Masons.

Read second time,
Ordered, That said bill be
Read a third time to-morrow.

C. B. 11, Entitled An act for the relief of school district No. 32, of the county of Marion.

Read second time.
Ordered, That said bill be
Referred to committee on education.

C. B. 13, Entitled A bill to provide for the incorporation of associations for improving the breed of domestic animals.

Read a second time.

C. B. 14, Entitled An act to incorporate the Rogue River Bridge Company.

Read second time.

C. B. 23, Entitled A bill to change a portion of the Territorial road from Oregon City to Spores, in Lane county.

Read second time.

C. B. 24, Entitled A bill to divorce Kitturah Teft.

Read second time.
Ordered, That said bill be
Referred to select committee of three.

Speaker appointed
Messrs. Johnson, Cole and Collard, said committee.

C. B. 26, Entitled A bill granting Melinda Russel a divorce.

Read second time.

Ordered, That said bill bill be
Referred to the same committee.

C. B 27, Entitled An act to grant Francis D. Smith a divorce.

Read second time.

Ordered, That said bill be
Referred to the same committee.

H. B, 8, Entitled A bill authorizing the citizens of a portion of Douglas county at the next June election to vote as to whether they desire to be attached to Umpqua county.

Read third time.

Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Cole, Hill, Mack, Shuck and Spear—6.

Nays—Messrs. Able, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hughes, Johnson, King, Matthews, Rees, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—19.

So the bill did not pass.

On motion,
House adjourned.

AFTERNOON SESSION.

H. B. 14, Entitled An act declaring certain acts of school district number four in Douglas county legal.

Read third time

Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messers. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

H. B. 18, Entitled A bill to incorporate the Albany canal and manufacturing company.

Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker.—24.

Nays—None.

So the bill passed.

H. B. 21, Entitled, A bill to incorporate the Grand Lodge of the Independent Order of Odd Fellows, of the Territory of Oregon.

Read third time.
The question being
"Shall the bill pass?"

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Johnson, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—Mr. Shuck—1.

So the bill passed.

H. B. 22, Entitled An act to change a portion of the Territorial road leading from Salem to McDonald's ferry, in Marion county.

Read third time.

Question being

"Shall the bill pass?"

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

H. B. 23, Entitled A bill to legalize the location of a county road.

Read a third time.

Question being

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

Ordered, That the Clerk request the concurrence of the Council therein.

On motion of Mr. Collard,
H. J. R. 7, Relative to the University Fund.
Was taken from the table.

The question being,
Shall the resolution be adopted?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard Cole, Gilliland, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Whiteaker and Mr. Speaker—19.

Nays—Messrs. Cooley, Gates, Spear, Woodsides and Warren—5.

So the resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

Messages from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Jan. 9, 1858.

MR. SPEAKER:

The Council have concurred in the amendments of the House to the bill,

C. B. 3, Entitled An act to establish a College at the town of Sublimity county of Marion;

THOS. B. MICOU,
Clerk of the Council.

COUNCIL CHAMBER, Jan. 9, 1858.

MR. SPEAKER:

The Council has passed a bill of the following title, viz:

C. B. 15, An act to locate a Territorial road from Eugene City to Smith's river, in Umpqua county.

In which the concurrence of the House is requested.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B. 15, was
Read first time.

On motion of Mr. Cranor,
C. B. 1, Entitled "An act to incorporate the Youth's Lyceum at Montville Institute,
Was taken from the table.

This being the final passage of the bill;
The yeas and being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Whiteaker, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

Ordered, That the Clerk acquaint the Council therewith.

Mr. King gave notice,
That on to-morrow, or some subsequent day of the session, he would introduce a bill to carry into effect the entry at the land office of the town-site of the City of Portland, according to act of Congress of 1844.

Mr. Spear introduced,
H. B. 48, Entitled A bill to increase the per diem of assessors in Josephine county.
Read first time.

Mr. Whiteaker moved,
That the House resolve itself into a committee of the whole House, on unfinished business.
Motion adopted.

The House accordingly resolved itself into a

COMMITTEE OF THE WHOLE,

After some time spent therein, the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Brown of Linn reported progress, and requested leave to sit again.

On motion of Mr. Brown, of Jackson,
House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Monday, Jan. 11, 1858.

CHAS. B. HAND,
Chief Clerk.

TUESDAY, JANUARY 12, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Dryer, Hayden, Jeffers, Kirkpatrick and Woodsides.

Journal of yesterday, read and approved.

Mr. Hill presented
The petition of Larkin Vanderpool, and thirteen others, praying for the appointment of viewers to review a portion of the Territorial road from Doak's ferry to Corvallis.

Ordered, That said petition be
Referred to the committee on roads and highways.

Mr. Brown, from the committee on claims, to whom was referred the

petition of J. L. Hensly, for relief, reported adversely to the prayer of the petitioner.

Mr. Mathews, from the committee on engrossed bills, reported H. B's 25 and 26 correctly engrossed.

Mr. Brown from the committee on claims, to whom was referred the bill,

H. B. 15, Entitled, A bill for the relief Roberts & Shartle.

Made report by filling the blank in the first section with "one-hundred and seventy-five dollars."

Ordered, That said bill be

Referred to committee of the whole.

Mr. Cox, from committee on roads and highways, to whom was referred the petition of Hugh Dinwiddie, made report by bill,

H. B. 49, Entitled A bill to vacate a portion of the town plat of Union Point, in county of Linn.

Read a first time.

Mr. Johnson, from select committee to whom was referred C. B 24, made report of the same back to the House with the recommendation that said bill do pass.

Mr. Cole introduced,

H. B. 50, Entitled An act authorizing the citizens of Umpqua county to vote as to whether they will become citizens of Douglas county.

Read first time.

Mr. Collard introduced,

H. B, 51, Entitled A bill to amend an act entitled an act to locate a Territorial road from Linn City, in Clackamas county, to Hillsborough in Washington county, passed Jan. 20, 1857.

Read first time.

Mr. Able introduced the following resolution:

H. R. 27,

Resolved, That, until otherwise ordered, the hour for the daily meeting of this House be nine o'clock, A. M., for the morning session, and two o'clock, P. M for the afternoon session.

Not adopted.

On motion of Mr. Johnson,

That the hour of meeting for the morning session be ten o'clock, A. M.

Adopted

Mr. Gilliland introduced,

H. B. 52, Entitled An act to amend an act entitled an act to change the compensation of judges and clerks of elections.

Read first time.

Mr. Johnson introduced,

H. B. 53, Entitled A bill to divorce William and Caroline Garlick.

Read first time.

Message from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Jan. 11, 1858.

MR. SPEAKER:

The Council have passed bills of the following titles:

C. B. 16, An act to incorporate Union University Association.

C. B 18, A bill to incorporate the Tualatin Temple of Honor.

C. B. 19, A bill to prevent the escape of penitentiary convicts.

In which I am directed to ask the concurrence of this House.

The Council have also passed

H. B. 11, Entitled an act for the relief of James Hendershott, sheriff of Josephine county.

The Council do not concur in the resolution of the House,

H J. R. 2, Relative to the distribution of reports and other documents.

THOS. B. MICOU
Chief Clerk.

Accordingly C. B's No's 16, 18 and 19, were severally

Read first time.

H. B. 29, Entitled A bill to change the line between Umpqua and Douglas, counties;

Read second time,

Ordered, That said bill be engrossed and

Read a third time to-morrow.

H. B. 30, Entitled An act to change the name of Eviline and Douglas D. Hess.

Read second time, and
Ordered, That said bill be engrossed, and
Read a third time to-morrow.

H. B. 31, Entitled A bill concerning swine running at large in Wasco county.
Read second time, and
Ordered engrossed, and
Read third time to-morrow.

H. B. 32, Entitled A bill to divorce James Bothwell and Elizabeth Bothwell, and to legalize the marriage of James Bothwell with Rhoda Ann Harris.
Read second time; and
Ordered engrossed, and
Read a third time to-morrow.

H. B. 33, Entitled A bill to divorce the bonds of matrimony heretofore existing between Philester Lee, and Eliza Ann Lee.
Read second time, and
Ordered engrossed and
Read a third time to-morrow.

H. B. 34, Entitled A bill to divorce the bonds of matrimony heretofore existing between Lavina Chrisman and Joel Chrisman.
Read second time, and
Ordered engrossed, and
Read third time to-morrow.

H. B. 35, Entitled An act to change a Territorial road in Linn county.
Read second time.
Ordered engrossed, and
Read third time to-morrow.

H. B. 36, Entitled A bill to amend an act entitled "an act to incorporate the city of Portland.
Read second time.
Ordered engrossed, and
Read third time to-morrow.

H. B. 25, Entitled A bill to divorce Mrs. T. Elva Ann Cresson.
Read third time

The question being
"Shall the bill pass?"
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, and Warren—22.

Nays—Messrs. Cranor, and Mr. Speaker—2

So the bill passed.

H. B. 26, Entitled A bill authorizing Chas. F. Putnam, and others to open a wagon road down Elk river in Umpqua county.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

C. B. 10, To incorporate the Grand Lodge of Ancient Free and Accepted Masons.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Slater, Spear, Whiteaker, Warren and Mr. Speaker.—23.

Nays—None.

So the bill passed.

C. B. 13, A bill to provide for the incorporation of associations for improving the breed of domestic animals.

Read a third time.

Question being

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

C. B. 14, An act to incorporate the Rogue river bridge company

Read third time.

Question being

"Shall the bill pass?"

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker, Warren and Mr. Speaker—23.

Nays—None

So the bill passed.

C. B. 23, A bill to change a portion of the Territorial road leading from Oregon City to Jacob Spores' in Lane county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hayden, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

C. B. 24, A bill to grant Kitturah Teft a divorce.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown, of Linn, Brown, of Jackson, Cox, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker, Warren and Mr. Speaker—22.

Nays—Mr. Cranor—1.

So the bill passed.

C. B. 26, A bill granting Melinda Russel a divorce.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard Cole, Gilliland, Gates, Hughes, Johnson, King, Mack, Matthews, Shuck, Slater, Whiteaker and Warren—18.

Nays—Messrs Able, Cranor, Hill, Rees, Spear and Mr. Speaker—6.

So the bill passed.

C. B. 27, An act to grant Francis D. Smith a divorce.
Read third time.
The question being,
Shall the bill pass?
The yeas and being demanded, resulted as follows:

Yeas—Messrs. Brown of Linn, Brown of Jackson, Cooley, Collard, Cole, Gilliland, Johnson, King, Mack, Matthews, Shuck, Slater, Whiteaker, and Warren.—14.

Nays—Messrs. Able, Allen, Cox, Cranor, Gates, Hill, Hughes, Rees, Spear, and Mr. Speaker—10.

So the bill passed.

Message from the Council, by Mr. Micou, their Clerk:

COUNCIL CHAMBER, Jan. 12, 1858.

MR. SPEAKER:

As directed by the President of the Council, I inform you that the Council have concurred in the following resolutions of the House, viz:

H. J. R 9, To draft a memorial to Congress, in behalf of Mrs. Mary A. Harris.

H. J. R. 10, Respecting the transmission of certain mails.

THOS. B. MICOU.
Chief Clerk.

Speaker appointed

Messrs. Brown of Jackson, and Gates the committee on the part of the House, to draft a memorial to Congress, as contemplated by H. J. R. 9.

On motion of Mr. Gates,

H. B. 10, Entitled An act to amend an act entitled an act relating to estrays and property lost or unclaimed.

Was taken from the table, and

Referred to committee of the whole.

The Speaker announced that the business next in order was on the adoption of the amendment of the judiciary committee, on H. B. 5.

Pending debate thereon,

The House adjourned.

AFTERNOON SESSION.

The question on the amendment of the judiciary committee on H. B. 5, still pending,

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Brown of Linn, Brown of Jackson, Cox, Cramer, Cooley, Cole, Gates, Hill, Hughes, King, Slater, Whitsaker, Woodsides and Mr. Speaker—14.

Nays—Messrs. Able, Allen, Collard, Gilliland, Johnson, Mack, Matthews, Rees, Shuck, Spear and Warren—11.

Messrs. Dryer and Jeffers having been excused from voting.

So the amendment was adopted.
Ordered, That said bill be engrossed and
Read third time to-morrow.

The Speaker announced that the business that the business next in order was the question on the amendments of the judiciary committee to H. B. 7.

On motion of Mr. Gates,
The amendments and report were
Adopted.
Ordered, That said bill be engrossed and
Read third time to-morrow.

Mr. Dryer presented
The report of the Pilot Commissioners.
Ordered, That said report be
Laid on the table, and
One hundred copies ordered printed.

H. J. R. 4, was taken up;
Mr. Mack offerred an amendment;
On motion of Mr. Jeffers.
The resolution and amendment were
Laid upon the table.

H. R. 25 was taken up;
On motion of Mr. Brown, of Jackson,
The resolution was
Laid upon the table.

Messages from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Jan. 12, 1858.

MR. SPEAKER:

The President of the Council directs me to inform you that he has signed an enrolled bill of the following title:

H. B. 7, Entitled A bill for the relief of Thomas Pyle, sheriff of Jackson county.

Also, the enrolled joint resolution,

H. J. R. 3, Relative to the appointment of a committee to visit the penitentiary, and

C. J. R. 3, Relative to forwarding to our Delegate in Congress certain joint resolutions of the Legislative Assembly of Oregon.

The two former of which are herewith transmitted to you.

THOS. B. MICOU,
Clerk of the Council.

COUNCIL CHAMBER, Jan 12, 1858.

MR. SPEAKER:

The following named bills having passed the Council, I am directed by the President of the Council to request the concurrence of the House of Representatives therein.

C. B. 2, To Incorporate the Siskiyou wagon road company.

C B. 20, To prohibit and punish the sale of intoxicating liquors to Indians.

C. B. 17, To amend an act entitled an act to provide for building bridges.

C. B. 21, An act to establish West Union Institute.

C. B 30, A bill to change the name of Kane Olney.

Which bills, and documents accompanying bills, No's 2 and 30 above named, are herewith respectfully transmitted.

I am farther directed to inform you that the Council have passed the bill of the following titles, viz:

H. B. 14, Entitled An act declaring certain acts of school district number four in Douglas county legal.

H. B. 18, Entitled A bill to incorporate the Albany canal and manufacturing company.

H. B. 21, Entitled, A bill to incorporate the Grand Lodge of the Independent Order of Odd Fellows, of the Territory of Oregon.

I am also directed to transmit,

H. B. 47, Entitled An act authorizing the Territorial Printer to furnish to the Secretary fifty copies of the Statutes of Oregon

And

H J R. 7, To memorialize Congress to divert the University fund to common school purposes.

In which bill and joint resolution I am instructed by the President to inform you that the Council refuse to concur.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B's 2, 17, 20, 21 and 30, were severally Read first time.

Mr. Slater introduced,
H. B. 54, Entitled A bill to establish Corvallis College.
Read first time.

On motion of Mr. King,
The House resolved itself into a

COMMITTEE OF THE WHOLE,

On business referred to that committee, and
After some time spent therein, the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. King reported,
That the committee having, according to order, had under consideration a part of the business referred thereto, had directed him to report
C. B. 8, Entitled, A bill granting Elizabeth R. Hines a divorce,
Back to the House with the recommendation that said bill do pass.
Also,
H. B. 12, Entitled "An act to amend the road law;"
With the recommendation that said bill be referred to a select committee of three.
Also,
H. B. 10, Entitled A bill to amend an act entitled an act relating to estrays and to property lost or unclaimed,
On which I am directed to report progress and ask leave to sit again.

On motion of Mr. Brown, of Jackson,
House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Tuesday, Jan. 12, 1858.

CHAS. B. HAND,
Chief Clerk.

WEDNESDAY, JANUARY 13, 1857.

House met, pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Dryer, Hayden, Hughes, Kirkpatrick and Spear.

Journal of yesterday read, and approved.

The following petitions were handed to the Clerk and read, under the twelfth rule of this House, to-wit:

By Mr. Rees,

The petition of Thomas Roork, and one hundred others, praying for a change of the present boundary line between the counties of Clackamas and Multnomah.

Ordered, That said petition be

Referred to committee on counties.

By Mr. Dryer,

The petition of W. F. Hall, and thirty-six others, praying that a part of Washington county be attached to Multnomah county.

Ordered, That said petition be

Referred to the representation of Multnomah and Washington counties.

Mr. Gates introduced,

H. M. 1, Praying the Congress of the United States to grant an appropriation of money to be applied in surveying and constructing a military road from or near Portland to Fort Dalles

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Spear, from the joint committee on enrolled bills, reported that the committee had examined and found truly enrolled, the following bills of the Council, viz:

C. B's 1, 3, 24, 26 and 27.

Mr. Woodsides, from the committee on education, to whom was referred,

C. B. 11, For the relief of school district No. 32, in Marion county,

Reported the same back, with the recommendation that said bill do pass.

Mr. Cox, from the committee on roads and highways, to whom was referred,

C. B. 15, An act to locate a Territorial road from Eugene City to Smith's river, in Umpqua county.

Reported the same with an amendment.

Which report and amendment was

Adopted.

And the bill ordered to a third reading.

Mr. Cranor, from the committee on judiciary, to whom was referred

H. B. 28, Entitled A bill to amend an act entitled an act to incorporate the town of Corvallis.

Reported the same back to the House, with the recommendation that said bill do pass.

Which report was

Adopted.

And the bill

Ordered engrossed, and

Read third time to-morrow.

Mr. Mack, from the committee on enrolled bills, reported

H. B's 9 and 16, and H. J. R's 5 and 6,

Correctly enrolled.

Mr. Brown of Jackson, from the committee on ways and means, to whom was referred the petition of Asahel Bush, for expenses of printing for Constitutional Convention and other incidental expenses, made report of the same back to the House, without prejudice to the claimant, but with the recommendation that its consideration be deferred to some future legislature of the Territory or State.

On motion,

The report was adopted.

Mr. Mathews, from the committee on engrossed bills, reported, that the committee had examined

H. B's 5, 7, 29, 30, 31, 32, 33, 34, 35 and 36,

And found them correctly engrossed.

On motion of Mr. Johnson,

H. B. 47 was returned to the Council.

H. B. 37, Entitled A bill to relocate a portion of the Territorial road leading from Brownville, in Linn county to the Calapooia mountain.

Read second time.

Ordered engrossed, and

Read a third time to-morrow.

H. B. 38, Entitled A bill to provide for the protection of slave property.

Read second time, and

Referred to committee of the whole.

H. B. 39, Entitled A bill for the relief of school district number twenty-five, in Washington county.

Read second time, and

Ordered engrossed and

Read a third time to-morrow.

H. B. 40, Entitled A bill in relation to assessment and collection of taxes.

Read second time, and

Referred to committee of the whole

H. B. 41, Entitled, A bill in relation to advertising in counties.

Read a second time, and

Referred to committee of the whole.

H. B. 42, Entitled A bill to provide for the erection of a bridge across the Tualitin river.

Read second time, and

Ordered engrossed, and

Read third time to-morrow.

H. B. 43, Entitled An act to amend an act entitled an act to tax and protect Chinamen mining in Oregon.

Read second time, and

Referred to select committee of three.

Speaker appointed

Messrs. Spear, Hughes and Cole, said committee.

H. B. 44, Entitled A bill to change the location of a part of the

Territorial road from Corvallis to Winchester in the counties of Umpqua and Douglas.

Read second time.

Ordered engrossed, and

Read third time to-morrow.

H. B. 45, Entitled An act granting to Margaret Waddle, a divorce.

Read second time.

Ordered engrossed, and

Read third time to-morrow.

C. B. 2, Entitled A bill to incorporate Siskiyou wagon road company.

Read second time.

C. B. 16, An act to incorporate Union University Association.

Read second time, and

Referred to committee on corporations.

C. B. 17, Entitled A bill to amend an act entitled an act to provide for building bridges, passed Jan. 10, 1858.

Read second time, and

Referred to Judiciary committee.

C. B. 18, A bill to incorporate the Tualatin Temple of Honor.

Read second time.

C. B. 19, A bill to prevent the escape of penitentiary convicts.

Read second time, and

Referred to judiciary committee.

C. B. 20, Entitled A bill to prohibit and punish the sale of intoxicating liquors to Indians

Read second time; and

Referred to the judiciary committee.

C. B. 21, Entitled An act to establish West Union Institute.

Read second time.

C. B. 30, Entitled A bill to change the name of Kane Olney.

Read second time.

H. B. 5, Entitled "An act to amend an act relating to marriage and divorce."

Read third time.

The question being,
Shall the bill pass?
The yeas and being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Jackson, Dryer, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker, and Warren—15.

Nays—Messrs. Able, Brown of Linn, Cox, Cranor, Cooley, Collard, Cole, Jeffers, Woodsides and Mr. Speaker—10.

So the bill passed.

H. B. 7, Entitled "An act to amend an act entitled an act to regulate proceedings in actions at law, in the Supreme and District Courts.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

H. B. 29, Entitled A bill to change the line between Umpqua and Douglas, counties;
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows.

Yeas—Messrs. Able, Allen, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Hughes, Jeffers, Mack, Matthews, Slater, Whiteaker, Warren and Mr. Speaker.—17.

Nays—Messrs. Cranor, Gates, Johnson, King, Rees, Shuck and Spear—7.

Mr. Hill, being excused from voting.

So the bill passed.

H. B. 30, Entitled An act to change the name of Eviline and Douglas D. Hess.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Warren, and Mr. Speaker—24.

Nays—Mr. Cooley—1.

So the bill passed

H. B. 31, Entitled A bill concerning swine running at large in Wasco county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Able, Allen, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Cooley, Cole, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Slater and Warren—20.

Nays—Messrs. Collard, Dryer, Gilliland, Spear, Whiteaker, and Mr. Speaker—6.

So the bill passed.

H. B. 32, Entitled A bill to divorce James Bothwell and Elizabeth Bothwell, and to legalize the marriage of James Bothwell with Rhoda Ann Harris.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker, Warren and Mr. Speaker—23.

Nays—Messrs. Able and Spear—2.

So the bill passed.

H. B. 33, Entitled A bill to divorce the bonds of matrimony heretofore existing between Philester Lee, and Eliza Ann Lee,

Read third time.

The question being

"Shall the bill pass?"

The yeas and nays were demanded, and resulted as follows

Yeas—Messrs. Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Whiteaker and Warren—19.

Nays—Messrs. Able, Allen, Cranor, Gates, Spear, Slater, and Mr Speaker—7.

So the bill passed

On motion,

The House adjourned.

AFTERNOON SESSION.

H. B. 34, Entitled A bill to divorce the bonds of matrimony heretofore existing between Lavina Chrisman and Joel Chrisman.

Read third time.

Question being

"Shall the bill pass?"

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker and Warren—22.

Nays—Messrs. Able, Cranor, Spear, Woodsides and Mr. Speaker—5.

So the bill passed.

H. B 35, Entitled An act to change a Territorial road in Linn county.

Read a third time

Question being
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows.

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—26.

Nays—None.

So the bill passed.

H. B. 36, Entitled A bill to amend an act entitled "an act to incorporate the city of Portland.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—27.

Nays—None.

So the bill passed.

C. B. 8, Entitled A bill granting Elizabeth R. Hines a divorce.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker and Warren—22.

Nays—Messrs. Able, Cranor, Spear, Woodsides and Mr. Speaker—5.

So the bill passed.

C. B. 11, Entitled An act for the relief of school district No. 32, of the county of Marion.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Warren—26.

Nays—Mr. Speaker—1.

So the bill passed

C. B. 15, Entitled An act to locate a Territorial road from Eugene City to tide-water, on Smith's river, in Umpqua county.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—27.

Nays—None.

So the bill passed.

On motion of Mr. Cole,
The vote on the final passage of
H. B. 29, Entitled A bill to change the line between Umpqua and Douglas counties,
Was reconsidered.
Ordered, That said bill be
Laid on the table

On motion of Mr. Jeffers
H. J. R. 4, and amendments were taken from the table.
The question being upon the last amendment,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Brown of Linn, Brown of Jackson, Cox, Cranor, Dryer,

Gates, Hill, Hughes, King, Mack, Matthews, Rees, Slater, Whiteaker and Mr. Speaker—15.

Nays—Messrs. Able, Allen, Cooley, Collard, Cole, Gilliland, Jeffers, Johnson, Shuck, Spear, Woodsides and Warren—12.

So the amendment was adopted.

Mr. Shuck moved,
To adopt the resolution, as amended.
Pending debate thereon,
On motion of Mr. Spear,
Laid on the table.

On motion,
The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Wednesday, Jan. 13, 1858,

CHAS. B. HAND,
Chief Clerk.

THURSDAY, JANUARY 14, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Hayden, King, Kirkpatrick and Mack.

Journal of yesterday, read and approved

Mr. Brown of Linn presented,
The memorial of H. S. Jacobs & Co., praying for relief.
Ordered, That said memorial be
Referred to Committee on Claims.
With instructions to report at an early day what amount, if any, the Territory is bound for.

Mr. Allen, from the committee on corporations, to whom was referred H. B. 24, and C. B 16,

Made report of the same back to the House, with the recommendation that said bills do pass.

Mr. Spear, from the joint committee on enrolled bills, reported that the committee had examined and found truly enrolled, C. B. 23.

Mr. Cox, from the committee on roads and highways, to whom was referred the petition of Miles Davis, and others, praying for a Territorial road from Ramsey's Mill to Portland, made report by bill,

H. B. 55, Entitled A bill to locate a Territorial road from Ramsey's Mill, in Yamhill county, to Portland, in Multnomah county.

Read first time.

On motion of Mr. Brown, of Jackson,

That the Chair appoint a committee to fill the vacancies, *pro tem.*, in the committee on corporations.

Motion adopted.

Speaker appointed

Messrs. Mack and Cooley, said committee.

On motion Mr. Shuck,

H. B. 12 was

Referred to a select committee of three.

Speaker appointed,

Messrs Shuck, Collard and Cox, said committee.

Mr. Gilliland introduced the following resolution

H. R 28,

Resolved, That the Speaker appoint a committee of three to memorialize Congress, soliciting our Delegate, Gen. Joseph Lane, to use his influence in our behalf with the Post Office department in obtaining a change in the present postal route from Salem *via.* Powell Valley, J. P. Glover's, Upper Molalla, Silverton, Sublimity, and Eugene City, to Jacksonville.

On motion,

The resolution was adopted.

H. B. 46, Entitled A bill to locate a Territorial road leading from near Fort Lane, in Jackson county, to Roseburg, in Douglas county.

Read second time; and

Referred to the committee on roads and highways.

Mr. Woodsides, on leave, introduced,

H. B. 56, Entitled A bill to incorporate the Odd Fellows' Lodge, in the town of Salem, Marion county.

Read first time.

H. B. 48, Entitled A bill to increase the per diem of assessors in Josephine county.

Read second time; and

Ordered engrossed, and

Read third time to-morrow.

C. B. 2, Entitled A bill to incorporate the Siskiyou wagon road company.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Recs, Shuck, Spear, Slater, Whiteaker, Warren and Mr. Speaker—26.

Nays—None.

So the bill passed.

C. B. 18, A bill to incorporate the Tualatin Temple of Honor.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

C. B. 21, Entitled An act to establish West Union Institute.

Read third time.

Question being,

Shall the bill pass?

Pending the vote thereon, it was

Ordered, That said bill be

Referred to the judiciary committee.

With instructions to strike out as much of the bill as relates to the invalidation of contracts.

C B. 30, Entitled A bill to change the name of Kane Olney.

Read third time.

On motion of Mr. Dryer,

The bill was amended by inserting "Olney," as the middle name of "Kane McCrearer."

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown, of Linn, Brown, of Jackson, Cox, Cranor, Collard, Cole, Dryer, Gilliland, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Slater, Whiteaker, Warren and Mr. Speaker—22.

Nays—Messrs. Cooley, Spear and Woodsides—3.

So the bill passed.

Ordered, That the Clerk request the concurrence of the Council in the amendment.

C. B. 16, An act to incorporate Union University Association.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Warren and Mr. Speaker—26.

Nays—Mr. Woodsides—1.

So the bill passed.

Messages from the Council, by Mr. Micou, their Clerk

COUNCIL CHAMBER, Jan. 12, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council have passed a bill of the House of the following title:

H. B. 17, Entitled, A bill for the relief of Josiah Settle

Which, with accompanying papers, are herewith returned.

THOS. B. MICOU.
Chief Clerk.

COUNCIL CHAMBER, Jan. 13, 1858.

MR. SPEAKER:

I am directed by the President to inform you of the enrollment of the accompanying bills,

C. B's 1, 3, 24, 26, and 27,

Requesting your signature to the same.

THOS. B. MICOU
Chief Clerk.

The Speaker announced he had signed H. B's 9, and 16, and H. J. R's 5 and 6.

Ordered, That the Clerk request the President of the Council to sign the same.

On motion of Mr. Jeffers,

H. J. R. 4, was taken from the table.

On motion of Mr. Jeffers,

That the resolution be amended by striking out the words "a post-office," and inserting in lieu thereof, the words "the office of deposit."

Mr. Brown of Jackson moved,

To amend the amendment by striking out the word "the," and inserting in its place the word "an."

The question being upon the last amendment,

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Brown of Jackson, Cox, Cranor, Gates, Hughes, King, Matthews and Whiteaker—8.

Nays—Messrs. Able, Allen, Brown of Linn, Cooley, Collard, Cole,

Dryer, Gilliland, Hill, Jeffers, Johnson, Mack, Rees, Shuck, Spear, Slater, Woodsides, Warren and Mr. Speaker.—19.

So the amendment was lost.

The question now being upon the last amendment offered by Mr. Jeffers.

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Hill, Jeffers, Johnson, Mack, Rees, Shuck, Slater, Woodsides, Warren and Mr. Speaker—19.

Nays—Messrs. Brown of Jackson, Cox, Gates, Hughes, King, Matthews, Spear and Whiteaker—8.

So the amendment was adopted.

The question being upon the resolution as amended,
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Hill, Jeffers, Johnson, King, Mack, Rees, Shuck, Spear, Slater, Woodsides, Warren and Mr. Speaker—21.

Nays—Messrs. Brown of Jackson, Cox, Gates, Hughes, Matthews and Whiteaker—6.

So the resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

On motion,
House adjourned.

AFTERNOON SESSION.

The Speaker announced that he had signed the following bills of the Council, viz:

C. B's 1, 3, 24, 26 and 27.

Ordered, That the Clerk return the same to the Council.

Mr. Cox gave notice,

That on some subsequent day of the session, he would introduce a bill for the relief of John Smith, sheriff of Linn county.

On motion of Mr. Cranor,

The vote on the adoption of H. R 28, was reconsidered, and the resolution withdrawn by Mr. Gilliland.

Message from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Jan. 14, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council have passed a bill of the following title.

C. B. 25, To incorporate the Pudding river navigation company.

And to request the concurrence of the House in the same.

The Council have also passed bills of the House of the following titles:

H. B. 22, Entitled An act to change a portion of the Territorial road leading from Salem to McDonald's ferry, in Marion county.

H. B. 23, Entitled A bill to legalize the location of a county road

Which are herewith transmitted.

THOS. B, MICOU,
Chief Clerk

Accordingly, C. B. 25,
Read a first time

Mr. Matthews, from the committee on engrossed bills, reported
H. B's 28, 37, 39, 42, 44, and 45,
Correctly engrossed.

Mr. Cranor introduced,

H. R. 11, Relative to memorializing Congress to establish certain post routes in Oregon.

Ordered, That said resolution be

Laid on the table.

H. B. 28, Entitled A bill to amend an act entitled an act to incorporate the town of Corvallis

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Warren and Mr. Speaker—26.

Nays—None.

So the bill passed.

H. B. 37, Entitled A bill to relocate a portion of the Territorial road leading from Brownsville, in Linn county to the Calapooia mountain.

Read third time.

Question being,

Shall the bill pass?

The yeas being demanded, resulted as follows

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker—26.

Nays—None.

So the bill passed.

H. B. 39, Entitled A bill for the relief of school district number twenty-five, in Washington county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker Woodsides Warren and Mr. Speaker—26.

Nays—None.

So the bill passed.

H. B. 42, Entitled A bill to provide for the erection of a bridge across the Tualitin river.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

Nays—Mr. Gates—1.

So the bill passed.

H. B. 44, Entitled A bill to change the location of a part of the Territorial road from Corvallis to Winchester in the counties of Umpqua and Douglas.

Read third time.

Question being

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cranor, Cooley, Cole, Dryer, Gilliland, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Woodsides, Warren and Mr. Speaker—22.

Nays—Messrs Collard, Gates and Whiteaker—3.

So the bill passed.

H. B. 45, Entitled An act granting to Margaret Waddle, a divorce.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows.

Yeas—Messrs. Allen, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Whiteaker, Woodsides and Warren—21.

Nays—Messrs. Able, Brown of Linn, Cranor, Spear, Slater, and Mr. Speaker—6.

So the bill passed.

On motion of Mr King,
The House resolved itself into a

COMMITTEE OF THE WHOLE,

For the further consideration of H B. 10.
After some time spent therein, the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. King reported,
That the committee, having had under consideration H. B. 10, had directed him to report the same back to the House, with the recommendation that the bill be referred to a select committee of three.

On motion,
House adjourned

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Thursday, Jan. 14, 1858.

CHAS. B. HAND,
Chief Clerk.

FRIDAY, JANUARY 15, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Gilliland, Hayden, Kirkpatrick and Mack.

Journal of yesterday read, and approved.

Mr. Whiteaker, from the committee to whom was referred the petition of citizens of Yamhill county, praying for the passage of an act relating to the location of the county seat of said county, made report by stating that in their opinion no legislation was necessary, as appears by reference to page 81, of session laws of 1855-'6.

Mr. Cranor, on leave, presented
The petition of Archelaus Jordan; which was
Referred to the committee on ways and means.
Also,
The petition of Geo. E. Cole; which was
Referred to committee on claims.

Mr. Matthews, from the committee on engrossed bills, reported H. B's 24 and 48, correctly engrossed.

Mr. Brown of Linn, from the committee on claims, to whom was referred the petition of W. M. King, made report by bill,
H. B. 57, Entitled An act for the relief of Wm. M. King.
Read first time.

Mr. Cox, from the committee on roads and highways, to whom was referred the petition and remonstrance of citizens of Clackamas county, made report that the committee deemed it inexpedient to take any action on the subject.

On motion,
The report was adopted.

Mr. Cranor, from the judiciary committee, to whom was referred C. B. 17, reported the same back to the House without amendment, and recommended its passage.

Mr. Dryer, on leave, introduced,

H. B. 58, Entitled An act to amend an act for the establishing of a pilotage on the Columbia and Willamette rivers, passed Sept. 19, 1849.

Read first time.

Mr. Johnson, on leave, introduced,

H. B. 59, Entitled A bill to divorce Clara Mull.

Read a first time.

Mr. Cox introduced

H. J. R. 12,

Resolved, by the House, the Council concurring, That a committee of three, on the part of the House, and two on the part of the Council, be appointed to revise the road law.

On motion,

The resolution was adopted.

Speaker appointed

Messrs. Collard, Cox and Whiteaker, the committee on the part of the House.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Gilliland introduced

H. J. R. 13,

Resolved, by the House, the Council concurring, That a committee of seven be appointed; five on the part of the House, and two on the part of Council to memorialize Congress for additional mail service within the Territory of Oregon, recommending such routes as the necessity of the country demands.

On motion,

The resolution was adopted.

Speaker appointed,

Messrs. Gilliland, Johnson, Brown of Linn, Brown of Jackson and Matthews, said committee.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Cox introduced,

H. B. 60, Entitled An act for the relief of John Smith, sheriff of Linn county.

Read first time.

H. B. 49, Entitled A bill to vacate a portion of the town plat of Union Point, in county of Linn.

Read second time, and

Ordered engrossed, and

Read third time to-morrow.

C. B. 25, Entitled A bill to incorporate the Pudding river transportation and navigation company

Read second time.

C. B. 21, An act to establish West Union Institute.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—26.

Nays—None.

So the bill passed.

H. B. 24, Entitled A bill to incorporate the Applegate mining, milling and irrigating water-ditch company.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—26.

Nays—None.

So the bill passed.

H. B. 48, Entitled A bill to increase the per diem of assessors in Josephine county

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hughes, Jeffers, Johnson, King, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—Messrs. Hill and Shuck—2.

So the bill passed.

C. B. 17, To amend an act entitled an act to provide for building bridges.

Read third time.

The question being

"Shall the bill pass?"

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs Able, Allen, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—Messrs. Brown of Linn and Gates—2.

So the bill passed.

On motion of Mr. Allen,

The petition of Mr. Crisp, and others, relative to slavery, was taken from the table, and

Referred to committee of the whole.

Mr Hughes, on leave, introduced,

H. B. 61, Entitled A bill for the relief of Nat. H. Lane.

Read first time.

Mr. Gates moved,

To suspend the rules and the bill be read second time now.

Not adopted

Mr. Spear, from select committee, to whom was referred H. B's, 3 and 4, reported them back to the House with the recommendation that they be

Referred to select committee of three.

On motion,
The report was adopted.
Speaker appointed
Messrs. Cranor, Mack and Dryer, said committee.

Mr. Woodsides gave notice,
That on some subsequent day of the session, he would introduce a bill to authorize Marion county to assist in the construction of a bridge across Lake Labish.

Also,
A bill to exempt certain deeds, mortgages, and other securities from record.

Mr. Spear, from the select committee to whom was referred the petition of E. R. Crane, and others, made report by bill,
H. B. 62, Entitled An act to incorporate the Althouse and Illinois valley wagon-road company.
Read first time.

Ordered, That H. B. 10 be
Referred to a select committee of three.
Speaker appointed,
Messrs. Collard, Slater and Hughes, said committee.

Mr. King introduced,
H. R. 29,

Resolved, That a committee of three be appointed by the Speaker of the House, for the purpose of revising the manner of collecting taxes.
The resolution was adopted.
Speaker appointed,
Messrs. King, Gates and Mack, said committee.

Message from the Council, by their Clerk, Mr. Miocu:

COUNCIL CHAMBER, Jan. 14, 1858.

MR. SPEAKER:

I am instructed by the President of the Council, to inform you the Council has passed the bill of the House, of the following title, viz:

H. B. 31, Entitled A bill concerning swine running at large in Wasco county.

Which is herewith transmitted.

Also, of the concurrence of the Council in the amendment by the House to

C. B. 30, A bill to change the name of Kane Olney.

THOS. B. MICOU,
Clerk of the Council.

On motion,
The House adjourned.

AFTERNOON SESSION.

On motion,
House resolved itself into

COMMITTEE OF THE WHOLE,

For the consideration of
H. B. 40, Entitled A bill in relation to assessment and collection of taxes.
And, after some time spent therein the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Collard reported, that the committee having had under consideration H. B. 40, had directed him to report the same back to the House, with the recommendation that the bill be referred to the committee appointed as contemplated by by H. R. 29.

Also,

H. B. 15, Entitled, A bill for the relief of Roberts and Shartle.

Which I am directed to report back, with the recommendation that the blank in said bill be filled with one hundred and eight, and the bill pass.

Also,

C. B. 6, Entitled, A bill to amend chapter XI, of the Statutes of Oregon, entitled "offenses against chastity, morality and decency.

Which I am directed to report back with amendments, and to recom-

mend that said bill, as amended, do pass.

Also,

H. B. 13, Entitled "An act to amend an act relating to parents, children, wards and to masters, apprentices, and servants," passed December 15, 1853.

Which I am directed to report back with an amendment.

On motion,

The report was adopted,

On H. B. 40, and the bill referred, as reported, also the report of the committee on H. B. 15, C. B. 6, and H. B. 13; was

Adopted.

Ordered, That H. B. 13 be engrossed, and

Read third time to-morrow.

C. B. 6, as amended, was

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Cranor, Cooley, Cole, Dryer, Gates, Hill, Hughes, Jeffers, Johnson, King, Matthews, Whiteaker and Warren—15.

Nays—Messrs. Brown, of Linn, Cox, Collard, Mack, Rees, Shuck, Slater, Woodsides and Mr. Speaker—9.

So the bill passed.

Ordered, That the Clerk acquaint the Council therewith, and request their concurrence in the amendment.

On motion,

The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Friday, Jan. 15, 1858.

CHAS. B. HAND,
Chief Clerk.

SATURDAY, JANUARY 16, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Hayden, Kirkpatrick, Spear and Woodsides.

Journal of yesterday, read and approved.

The Speaker presented

The petition of Madam Ward, praying for divorce, which was ordered to be

Referred to a select committee of three.

Speaker appointed,

Messrs. Mack, Cox and Jeffers, said committee.

Mr. Matthews, from the committee on engrossed bills, reported H. B's 15 and 49, correctly engrossed.

Mr. Brown of Linn, from the committee on claims, to whom was referred the petition of George E. Cole, and affidavits therewith accompanying, made report by bill,

H. B. 63, Entitled A bill for the relief of George E. Cole

Read first time.

Mr. Cox, from the committee on roads and highways, to whom was referred H B. 46, made report of the same back to the House, with the recommendation that the bill be so amended, as to make the compensation of Surveyor five dollars per day, and the compensation of commissioners four dollars per day, and that the bill be passed.

On motion,

The report was adopted.

Ordered, That said bill be engrossed, and

Read a third time on Monday.

Mr. Slater, from select committee, to whom was referred H. B. 10, made report of the same back to the House, with amendments, which was

Laid on the table.

By consent, Mr. Spear, from the joint committee on enrolled bills

reported that the committee had examined and found correctly enrolled the bills of the Council,

C. B's 8, 10, 11, 13, 15, 18, 14 and 30,

Also, the bills of the House,

H. B's 22 and 23,

On motion of Mr. Gates,

The report of the University land commissioner was taken from the table, and

Referred to Judiciary committee.

H. B. 50, Entitled An act authorizing the citizens of Umpqua county to vote at the next June election as to whether they will become citizens of Douglas county.

Read second time.

Ordered engrossed, and

Read third time on Monday.

H. B. 51, Entitled A bill to amend an act entitled an act to locate a Territorial road from Linn City, in Clackamas county, to Hillsborough in Washington county, passed Jan. 20, 1857.

Read second time.

Ordered engrossed, and

Read a third time on Monday.

H. B. 52, Entitled An act to amend an act entitled an act to change the compensation of judges and clerks of elections.

Read second time, and

Ordered engrossed and

Read a third time on Monday.

H. B. 53, Entitled A bill to divorce William and Caroline Garlick.

Read a second time, and

Ordered engrossed, and

Read third time on Monday.

H. B. 15, Entitled, A bill for the relief Roberts & Shartle.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cranor, Cooley,

Collard, Cole, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews. Shuck, Slater, Woodsides and Warren—19.

Nays—Messrs. Dryer, Gilliland, Johnson, Whiteaker, and Mr. Speaker—5.

So the bill passed.

H. B. 49, Entitled A bill to vacate a portion of the town plat of Union Point, in county of Linn.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Shuck, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

C. B. 25, Entitled A bill to incorporate the Pudding river transportation and navigation company.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

The Speaker announced he had signed
H. B's 22, and 23,

Message from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Jan. 15, 1858.

MR. SPEAKER.

I am instructed by the President of the Council to inform you that he has signed

H. B's 9 and 16,

Also,

H. J. R. 5, and 6,

Which are herewith enclosed

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Jan. 15, 1858.

MR. SPEAKER:

As instructed by the President of the Council, I inform you that the Council have passed a bill of the following title:

C. B. 33, An act to relocate a part of the Territorial road running from Oregon City to Pleasant Hill in Lane county.

Which is herewith transmitted, for the concurrence of the House.

The Council has also passed

H. B's 26, 32, 34, 35, and 36,

The Council has also concurred in H. M 1, with amendments, therewith transmitted, requesting the concurrence of the House in the said amendments.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B. 33, was

Read first time.

On motion of Mr. Gates,

The House concurred in the amendments of the Council to H. M. 1.

Ordered, That the Clerk acquaint the Council therewith.

Messages from the Council, per Mr. Micou, the Clerk:

COUNCIL CHAMBER, Jan. 16, 1858.

MR. SPEAKER:

I am instructed by the President, as requested by the House, to return to you C. B. 21, herein enclosed.

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Jan. 16, 1858.

MR. SPEAKER:

The President of the Council directs me to ask you to return the memorial of the House No. 1, transmitted to you this morning by mistake.

THOS. B. MICOU,
Chief Clerk.

On motion of Mr. Gates,

The vote was reconsidered on the amendments to said memorial, and the Clerk ordered to return the same to the Council.

On motion,

House adjourned.

AFTERNOON SESSION

On motion of Mr. Dryer,

Ordered, That there be a call of the House.

The roll having been called, the following named members failed to answer to their names, viz:

Messrs. Belknap, Brown of Jackson, Cooley, Hayden, Johnson, King, Kirkpatrick and Whitaker.

On motion of Mr. Dryer,

All further proceedings in the call of the House were dispensed with.

Mr. Gates introduced

H. J. R. 14,

Resolved, by the House, the Council concurring, That this Legislative Assembly do adjourn, *sine die*, on Monday the twenty-fifth inst.

Which was
Laid on the table.

On motion of Mr. Dryer.
The report of pilot commissioners, was taken from the table and read.
Ordered, That said report be
Referred to committee on commerce.

On motion of Mr. Dryer.
The supplementary report of the Territorial auditor was taken from the table, and read.
Ordered, That as much thereof as refers to Yamhill county, be
Referred to the judiciary committee.
And the remainder of the same be
Referred to the committee on ways and means.

On motion of Mr. Dryer,
The report of the Territorial treasurer was taken from the table.
Ordered, That the reading be dispensed with, and the report be
Referred to the committee on ways and means.

Mr. Spear, from the select committee, to whom was referred H. B. 43, reported the same back to the House, without amendment.
On motion,
The report was adopted.

On motion of Mr. Brown of Linn,
That the bill be laid upon the table;
Not adopted.
Ordered, That said bill be engrossed, and
Read third time on Monday.

On motion of Mr. Dryer,
That the vacancy in the committee on commerce be filled.
Adopted.
Speaker appointed
Mr. Warren, to fill the vacancy.

Mr. Gates moved,
That the House resolve itself into a committee of the whole.
Adopted.

On motion Mr King,

House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Saturday, Jan. 16, 1858.

CHAS. B. HAND,
Chief Clerk.

MONDAY, JANUARY 18, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Cooley, Collard, Hill, Hayden, Kirkpatrick and Matthews.

Journal of Saturday read, and approved.

Mr. Cranor, from the judiciary committee to whom was referred C. B. 19, reported the same back to the House with amendments

On motion,

The report was adopted.

Mr. Brown of Linn, from select committee to whom was referred the petition of Sarah Sales, made report by bill,

H. B. 64, Entitled A bill to divorce the bonds of matrimony heretofore existing between Caleb Sales, and Sarah Sales.

Read first time.

Mr. King introduced,

H. B. 65, Entitled A bill to carry into effect the entry of the town site of the City of Portland.

Read first time.

Mr. Cole introduced,

H. J. R. 15,

Resolved, by the House, the Council concurring, That it will not entertain any new business from and after the 25th of the present month —January.

Mr. Whiteaker moved,

That the resolution be laid on the table;
Not adopted.

Mr. Dryer offered the following as a substitute:

Resolved, by the House, the Council concurring, That no new business shall be received by either House, from and after the 26th inst.

Question being on the passage of the resolution,

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Cole, Dryer, Hill, Johnson, Rees, Shuck, and Slater—9.

Nays—Messrs. Cox, Cranor, Gilliland, Gates, Hughes, Jeffers, King, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—12.

So the resolution was not adopted.

H. B. 54, Entitled A bill to establish Corvallis College
Read second time, and
On motion Mr. Slater,
The bill was amended,
Ordered engrossed, and
Read third time to-morrow.

C. B. 33, Entitled An act to relocate a part of the Territorial road running from Oregon City to Pleasant Hill, in Lane county.

Read second time; and
Referred to a select committee of three.
Speaker appointed,
Messrs. Whiteaker, Woodsides and Cox, said committee.

C. B. 19, A bill to prevent the escape of penitentiary convicts,
As amended, was
Read third time
An amendment was added to section three.
Question being,
Shall the bill, as amended, pass?
The yeas being demanded, resulted as follows.

Yeas—Messrs. Able, Allen, Brown of Jackson, Cox, Cranor, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—22.

Nays—None.

So the bill passed.

By consent, Mr. Spear, from the committee on enrolled bills, reported that the committee had examined and found truly enrolled,

H. B's 11, 14, 17, 18, 21 and 31,

Also,

H. J. R. 9 and 10.

Also,

C. B's 10, 17, 16 and 2.

Mr. Woodsides introduced,

H. B. 66, Entitled A bill to authorize Marion county to assist in the re-construction of La Bish bridge.

Read first time.

On motion of Mr. Woodsides,

H. B. 6, was taken from the table, and referred to a select committee consisting of the representation of Marion county.

Message from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Jan. 16, 1858.

MR. SPEAKER:

The President of the Council directs me to inform you that he has signed the enclosed bills;

H. B. 22, Entitled An act to change a portion of the Territorial road leading from Salem to McDonald's ferry, in Marion county.

H. B. 23, Entitled A bill to legalize the location of a county road

I am also directed to transmit the enrolled bills,

C. B's 8, 11, 13, 14, 15, 18, 23 and 30,

To which your signature is respectfully requested.

THOS. B. MICOU,
Clerk of the Council.

On motion of Mr. Gates,

That the House adjourn;

Not adopted.

On motion of Mr. Gates,

That the House resolve itself into committee of the whole, for the for the consideration of C. B. 4,

The motion was not adopted.

Mr. King, from committee on military affairs, made report as follows:

That, having had under consideration the expediency of petitioning the President of the United States, or other proper departments, for the removal of the military line, established on the eastern portion of our Territory by the officers in command of the Pacific Division of the United States Army, they deem it a subject of great delicacy and of doubtful expediency, at the present time, to interfere with the military arrangements on this coast; not because they believe it was a proper exercise of power to establish a military line in every part of our Territory in time of peace, but for the reason that our relations with the Indians and Mormons are of so precarious a nature, that it is possible that the measure adopted by the milithry commander may prove beneficial for the safety and protection of our citizens.

Therefore, they deemed inexpedient to memorialize the President of the United States, or other departments, as intimated by our instructions.

Mr. Cranor gave notice,

That on to-morrow, or some subsequent day of the session he would introduce a bill authorizing the Governor of the Territory to sell, to the best advantage, the stone constituting the foundation walls of the capitol building of this Territory, which was destroyed by fire.

Mr. Warren introduced,

H. R. 30,

Resolved, That a committee of five be appointed to inquire into the expediency of establishing a line of post-coaches from the navigable waters of the Columbia river to the navigable waters of the Missouri river.

The resolution was adopted.

Speaker appointed,

Messrs. Warren, Gates, Dryer, Able and Collard, said committee.

Mr. Spear gave notice,

That on to-morrow, or some subsequent day of the session, he would introduce a bill to extend the jurisdiction of justices of the peace in Josephine county.

The Speaker announced, he had signed

H. B's 11, 14, 17, 18, 21, and 31, and

H. J. R. 9, and 10, also,

C. B's 8, 11, 13, 14, 15, 18, 23, and 30.

Ordered, That the Clerk transmit the same for the sigaature of the President of the Council.

On motion,

The House adjourned.

AFTERNOON SESSION.

On motion of Mr. Allen,

House resolved itself into

COMMITTEE OF THE WHOLE,

For the consideration of

H. B. 38, Entitled A bill to provide for the protection of slave property.

And, after some time spent therein the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Gates reported,

That the committee having, according to order, had the bill, H. B. 38, under consideration, had directed him to report progress, and ask leave to sit again.

The report was adopted.

Mr. Whiteaker, on leave, presented,

The petition of Lawrence F. Jordan, praying that the bonds of matrimony heretofore existing between one Nancy Phillips and himself be annulled, and his marriage with Sarah F. Eddings be legalized.

Ordered, That said petition be

Referred to a select committee of three.

Speaker appointed,

Messrs. Matthews, Whiteaker and King said committee.

Messages from the Council, per Mr. Micou, the Clerk:

COUNCIL CHAMBER, Jan. 18, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council have passed the following bills, in which the concurrence of the House is requested:

C. B. 12, An act to amend an act entitled an act for the establishment of a pilotage on the Columbia and Willamette Rivers, passed Jan. 19, 1856.

C. B. 32, A bill to locate a Territorial road.

I am directed, also, to transmit the enrolled bills of the Council herein enclosed, and numbered as follows:

No's 2, 10, 16, and 17,

And request your signature thereto.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B's 12, and 32, were
Read first time.

COUNCIL CHAMBER, Jan. 16, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council has passed bills of the following titles, viz:

C. B. 29, A bill to legalize a certain road in Clackamas county.

C. B. 36, A bill for the relief of school districts No's 13 and 14, in Linn county.

And request the concurrence of the House therein.

They have concurred in the amendment of the House to the bill C. B. 21, Entitled An act to establish West Union Institute.

I am further instructed, to say to you that the Council has also passed bills of the House of the following titles, viz:

H. B. 28, Entitled A bill to amend an act entitled an act to incorporate the town of Corvallis.

H. B. 39, Entitled A bill for the relief of school district number twenty-five, in Washington county.

H. B. 42, Entitled A bill to provide for the erection of a bridge across the Tualitin river.

H. B. 44, Entitled A bill to change the location of a part of the Territorial road from Corvallis to Winchester in the counties of Umpqua and Douglas.

H. B. 48, Entitled A bill to increase the per diem of assessors in Josephine county.

H. B. 49, Entitled A bill to vacate a portion of the town plat of Union Point, in county of Linn.

And have also passed a bill of the House,

H. B. 25, to divorce Mrs. T Elva Ann Cresson.

With one amendment, in which the concurrence of the House is requested.

And also,

H. J. R 13, In relation to a joint committee for the purpose of memorializing Congress, for additional mail service in Oregon.

And the President directs me to notify you that he has appointed Messrs. Wait and Ford, on the part of the Council

The Council has adopted a memorial,

C. M. 1, Relating to a custom house, marine hospital and fortifications

In which the concurrence of the house is requested.

All of the above are herewith transmitted, with papers accompanying C. B's 29 and 36.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B's. 29 and 36, were
Read first time.

On motion of Mr. Johnson,
The House concurred in the amendment of the Council to H. B. 25.

On motion of Mr. Gates,
The House concurred in the amendments of the Council to H. M. 1.

C. M. 1 was read, and
Adopted.

Message from the Council, by Mr. Micou, their clerk.

COUNCIL CHAMBER, Jan. 18, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council have passed a bill of the House, of the following title:

H. B. 37, A bill to relocate a portion of the Territorial road leading from Brownsville, in Linn county, to Calapooia mountains.

With an amendment accompanying, in which the concurrence of the House is requested

THOS. B. MICOU,
Chief Clerk

On motion of Mr. Dryer,
The House concurred in said amendments.

On motion,
The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Monday, Jan. 18, 1858.

CHAS. B. HAND,
Chief Clerk.

TUESDAY, JANUARY 19, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Cooley, Hayden, Kirkpatrick, and Woodsides.

Journal of yesterday, read and approved.

Mr. Slater presented the petition of Geo. P. Wrenn and twenty-four others, praying that the right of way granted by the county commissioners of Benton county, declaring the north fork of Mary's river navigable for the purpose of running logs down said stream, be declared null and void.

Ordered, That said resolution be
Referred to a select committee of three.
Speaker appointed,
Messrs. Slater, Allen, and Spear said committee.

Mr. Rees presented the petition of B. Jennings, and thirty-seven others, praying for the passage of an act locating a road from Oregon City to the ferry landing opposite Portland.

Ordered, That said petition be
Referred to committee on roads and highways.

Mr. Matthews, from the committee on engrossed bills, reported H. B's 13, 43, 46, 50, 51, 52, 53, and 54, correctly engrossed.

Mr. Brown of Linn, from the committee on claims, to whom was referred the memorial of H. S. Jacobs & Co, made report of the same back to the House, with the recommendation that there be no further action had on the same.

Also,

The claim of Wm. L. Adams, for printing, with the same recommendation.

Mr. Cranor, from the judiciary committee to whom was referred the report of the University land commissioner reported that the committee having had the same under consideration, had deemed any legislation upon the subject premature and unnecessary.

Also, the bill,

C. B. 20, To prohibit and punish the sale of intoxicating liquors to Indians.

Having had the same under consideration were unable to agree upon the provisions of the bill and report the same back to the House.

Mr. Matthews introduced,

H. J. R. 16,

Resolved, by House, the Council concurring, That a committee of five, three on the part of the House, and two on the part of the Council, be appointed, to inquire into the expediency of making a re-apportionment of members of the Legislative Assembly, and report to this House and, should such committee deem the same expedient, report by bill.

Question being,

Shall the resolution be adopted?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cole, Dryer, Gilliland, Hill, Hughes, Johnson, Mack, Matthews, Shuck, Spear and Whiteaker—17.

Nays—Messrs. Collard, Gates, Jeffers, King, Rees, Slater, Woodsides and Mr. Speaker—8.

So the resolution was adopted.

On motion of Mr. Gates,
That the vacancy in the committee of Indian affairs, be filled.
Adopted.
Speaker appointed
Mr. Brown of Jackson, to fill the vacancy.

The Speaker announced, he had signed the enrolled bills of the Council, C. B's 10, 16, 2, 17.

Ordered, That the Clerk transmit the same for the sigaature of the President of the Council.

Mr. Brown of Jackson introduced,
H. B. 67, Entitled A bill to more effectually provide for the labor of convicts.
Read first time.

H. B. 55, Entitled A bill to locate a Territorial road from Ramsey's Mill, in Yamhill county, to Portland, in Multnomah county.
Read second time.
On motion of Mr. Shuck,
The bill was amended,
Ordered engressed and
Read a third time to-morrow.

H. B. 56, Entitled A bill to incorporate the Odd Fellows' Lodge, in the town of Salem, Marion county.
Read a second time, and
Ordered engrossed, and
Read third time to-morrow.

H. B. 57, Entitled An act for the relief of Wm. M. King.
Read second time.
Ordered engrossed, and
Read third time to-morrow.

H. B. 58, Entitled An act to amend an act for the establishing of a pilotage on the Columbia and Willamette rivers, passed Sept. 19, 1849.

Read second time.

Ordered engrossed, and

Read a third time to-morrow.

H. B. 59, Entitled A bill to divorce Clara Mull.

Read second time, and

Ordered engrossed, and

Read third time to-morrow.

H. B. 60, Entitled An act for the relief of John Smith, sheriff of Linn county.

Read second time,

Ordered engrossed and

Read third time to-morrow.

C. B. 12, An act to amend an act entitled an act for the establishment of a pilotage on the Columbia and Willamette Rivers, passed Jan. 19, 1856.

Read second time, and

Ordered, That said bill be

Referred to committee of the whole.

C. B. 29, A bill to legalize a certain road in Clackamas county.

Read second time, and

Referred to the committee on roads and highways.

C. B. 32, A bill to locate a Territorial road.

Read second time, and

Referred to committee on roads and highways.

C. B. 36, A bill for the relief of school districts No's 13 and 14, in Linn county.

Read second time.

H. B. 13, Entitled "An act to amend an act relating to parents, children, wards and to masters, apprentices, and servants," passed December 15, 1853.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker and Mr. Speaker—24.

Nays—None.

So the bill passed.

H. B. 43, Entitled An act to amend an act entitled an act to tax and protect Chinamen mining in Oregon.

Read third time.

Question being,

Shall the bill pass?

Pending debate thereon,

On motion,

The House adjourned.

AFTERNOON SESSION.

The vote on the final passage of H. B. 43 still pending;

On motion of Mr. Collard,

That the bill be referred to a special committee of three, with instructions to amend.

Motion adopted.

Mr. Collard moved,

To instruct the committee to amend section two, by inserting the word "five," in lieu of the word "three."

Mr. Brown of Jackson moved,

As an amendment, to insert the word "four," instead of the word "five."

The amendment was adopted.

Mr. Shuck moved,

That there be a call of the House;

Adopted.

The roll having been called, the following named members failed to answer to their names:

Messrs. Belknap, Cooley, Gilliland, Hayden, Kirkpatrick and Whiteaker.

Ordered, That all further proceedings in the call of the House be dispensed with.

Mr. Collard moved,

To further instruct the committee to strike out section four.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Cole, Dryer, Gates, Hill, Hughes, Jeffers, Johnson, Mack, Matthews, Rees, Shuck, Warren and Mr Speaker—18.

Nays—Messrs. Able, Allen, King, Spear, Slater and Woodsides—6.

So the committee were so instructed.

Mr. Collard moved,

To further instruct the committee to insert the word "mechanical," after the word "farming."

Adopted.

Speaker appointed,

Messrs. Collard, Spear and Brown of Jackson, the committee.

Mr. Brown of Jackson moved,

To instruct the committee to amend section eighteen of the laws of 1856–'7, so as to read fifteen per cent. instead of twenty per cent.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Gates, Hughes, Jeffers, King, Mack, Matthews, Spear, Slater, Whiteaker and Woodsides—14.

Nays—Messrs. Cox, Cranor, Collard, Cole, Dryer, Hill, Johnson, Rees, Shuck, Warren and Mr. Speaker—11.

So the motion was adopted

H. B. 46, Entitled A bill to locate a Territorial road leading from near Fort Lane, in Jackson county, to Roseburg, in Douglas county.

Read third time.

The question being

"Shall the bill pass?"

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Cole, Dryer, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

On motion of Mr. Shuck,
At four o'clock, and ten minutes, that the House adjourn;
Not adopted.

H. B. 50, Entitled An act authorizing the citizens of Umpqua county to vote at the next June election as to whether they will become citizens of Douglas county.

Read third time.

Question being,

Shall the bill pass?

On motion of Mr. Matthews,

That the bill be referred to a special committee of three, with instructions to insert in said bill a section, or sections, providing that the voters of Douglas county may at the next annual election, vote for or against the annexation of Umpqua county to said county, such vote to be counted separate and apart from the vote given in Umpqua county.

On motion of Mr. Slater,
At four o'clock, and fifteen minutes, that the House adjourn.
Not adopted.

H. B. 51, Entitled A bill to amend an act entitled an act to locate a Territorial road from Linn City, in Clackamas county, to Hillsborough in Washington county, passed Jan. 20, 1857.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Cole, Dryer, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

On motion of Mr. Shuck.

At four o'clock and twenty minutes, P. M., the House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Tuesday, Jan. 19, 1858.

CHAS. B. HAND,
Chief Clerk.

WEDNESDAY, JANUARY 20, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Belknap, Hayden, Hughes, Kirkpatrick, Mack and Slater.

Journal of yesterday read, and approved.

The following petitions were handed to the Clerk, and read under the twelfth rule of the House:

By Mr. Woodsides,

The petition of Hiram Smith, and Wm. Purvine, for compensation for services performed in locating a Territorial road from Grand Ronde in Yamhill county, to Tillamook river, in Tilamook county.

Ordered, That said petition be
Referred to Committee on Claims.

By Mr. King,

The petition of Jas. McFarland, and sixty-five others, praying for the annexation of all east of the range line, dividing township one and two, west, to Multnomah county.

Ordered, That said petition be
Referred to the representation of Washington and Multnomah counties.

By Mr. King,

The petition of L. W. Morgan, and sixteen others, praying that the public administrator be empowered to settle the estate of one Elisha Reed, of Powell's valley, Multnomah county.

Ordered, That said petition be

Referred to a select committee of three.

Speaker appointed

Messrs. King, Jeffers and Gilliland, said committee.

By Mr. Warren,

The petition of J. M. Carroll, for divorce.

Ordered, That said petition be

Referred to a select committee of three.

Speaker appointed,

Messrs. Warren, Collard and Cooley, said committee.

Mr. Matthews, from the committee on engrossed bills, made report, that the committee had examined and found truly engrossed, the bills of the House, H. B's 56, 57, 58, 59 and 60.

Mr. Spear, from the committee on enrolled bills, made report that the committee had examined the bills,

H. B's 32, 28, 25 and 26.

Also, H. J. R. 13, and C. B. 21,

and found them correctly enrolled.

Mr. Brown of Jackson, from the select committee to whom was referred H. B. 43, reported the same with amendments, as instructed.

On motion of Mr. Gates,

The section relating to sheriff's fees was stricken out.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cranor, Cooley, Cole, Gates, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Spear, Woodsides and Warren—18.

Nays—Messrs. Cox, Collard, Dryer, Gilliland, Shuck, Whiteaker, and Mr. Speaker—7.

So the bill passed.

Mr. Jeffers introdueed,

H. B. 68, Entitled An act to provide for inspecting salmon, and for the appointment of an inspector.

Read first time.

Mr. Cranor introduced,

H. B 69, Entitled A bill to authorize the Governor of the Territory of Oregon to sell the stone that constituted the foundation walls of the capitol building.

Read first time.

Mr. Johnson introduced,

H. B. 70, Entitled a bill to amend an act entitled an act to provide for the selection of places for the location and erection of the public buildings of the Territory of Oregon.

Read a first time.

H. B. 61, Entitled A bill for the relief of Nat. H. Lane.

Read second time, and

Referred to committee of the whole.

H. B. 62, Entitled An act to incorporate the Althouse and Illinois valley wagon-road company.

Read second time.

Referred to committee on corporations.

H. B. 63, Entitled A bill for the relief of George E. Cole.

Read second time.

Referred to committee of the whole.

H. B. 64, Entitled A bill to divorce the bonds of matrimony heretofore existing between Caleb Sales, and Sarah Sales.

Read second time, and

Ordered engrossed, and

Read third time to-morrow.

On motion of Mr. Gates,

The vote ordering H. B. 57 to be read third time to-morrow, was reconsidered, and

Ordered, That said bill be referred to the committee of the whole, and made the special order of the day for this afternoon.

H. B. 52, Entitled An act to amend an act entitled an act to change the compensation of judges and clerks of elections.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows.

Yeas—Messrs. Able, Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Rees, Spear, Whiteaker and Mr. Speaker—20.

Nays—Messrs. Brown of Linn, Matthews, Shuck, Woodsides, and Warren—5.

So the bill passed.

H. B. 53, Entitled A bill to divorce William and Caroline Garlick.
Read third time.
The question being
"Shall the bill pass?"
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck, Spear and Warren—20.

Nays—Messrs. Able, Cranor and Mr. Speaker—3.

So the bill passed.

H. B. 54, Entitled A bill to establish Corvallis College.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck, Spear, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

Mr. Able, on leave, introduced,
The petition of Absolem Brooks, for divorce, which was
Referred to select committee of three.
Speaker appointed,

Messrs. Able, Rees and Cole, said committee.

H. B. 58, Entitled An act to amend an act for the establishing of a pilotage on the Columbia and Willamette rivers, passed Sept. 19, 1849.

Read third time,

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck, Spear, Woodsides Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

H. B. 56, Entitled A bill to incorporate the Odd Fellows' Lodge, in the town of Salem, Marion county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck, Spear, Woodsides Warren and Mr Speaker—24.

Nays—None.

So the bill passed.

H. B. 59, Entitled A bill to divorce Clara Mull.

Read third time.

Question being

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs: Allen, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gates, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck and Warren—16.

Nays—Messrs Able, Brown of Linn, Cranor, Hill, Spear, and Mr. Speaker—6.

So the bill passed.

H. B. 60, Entitled An act for the relief of John Smith, sheriff of Linn county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Dryer, Gilliland, Hill, Hughes, Jeffers, Johnson, King, Matthews, Rees, Shuck, Spear, Woodsides, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

Speaker announced he had signed the bills:

H B's 32, 28, 26, and 25.

Also, H. J. R. 13.

Ordered, That the Clerk transmit the same to the President of the Council for his signature.

Message from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Jan. 19, 1858.

MR. SPEAKER:

I am instructed by the President of the Council, to inform you that the Council have passed bills of the following titles:

C. B. 28, A bill to incorporate the Astoria and Willamette valley rail road company.

C. B. 31, A bill to grant Harriet Mulligan a divorce.

C. B. 35, An act for the relief of J W. Moffitt, Aaron Rose, and H. D. O'Bryant.

C. B. 34, An act supplementary to an act to establish an institution of learning in Polk county, passed Jan. 18, 1856.

In which the concurrence of the House is requested.

The Council disagree to the first amendment of the House to the bill:

C. B. 19, A bill to prevent the escape of penitentiary convicts,

And concur in the second and third amendments of the House to said bill.

THOS. B. MICOU,
Clerk of the Council.

Accordingly, C. B. 31 was
Read a first time.

Ordered, That the rules be suspended and the bill be
Read second time.
The bill was so read.
Ordered, That the rules be further suspended, and the bill be read a third time.
Accordingly, the bill was
Read third time.
Question being
"Shall the bill pass?"
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Dryer, Gates, Hughes, Jeffers, Johnson, King, Matthews, Rees, and Warren—16.

Nays—Messrs. Able, Cranor, Hill, Spear, Slater, Woodsides and Mr. Speaker—7.

So the bill passed.

C. B. 35, Entitled An act for the relief of J. W. Moffitt, Aaron Rose and H. D. O'Bryant.
Read first time.
Ordered, That the rules be suspended, and that the bill be
Read second time.
The bill was so read.
On motion of Mr. Brown, of Jackson,
The bill was
Referred to a select committee of three.
Speaker appointed,

Messrs. Brown of Jackson, Johnson and King said committee.

C. B 34, Entitled An act supplementary to an act to establish an institute of learning in Polk county.

Read first time.

C. B. 28, Entitled A bill to incorporate the Astoria and Willamette valley rail road company.

Read first time.

Ordered, That the rules be suspended and the bill be

Read second time, and

The bill was so read.

Mr. Dryer, on leave, presented,

The petition of ——, relative to rail roads in general.

Ordered, That the bill and petition be

Referred to committee on corporations.

On motion,

House adjourned.

AFTERNOON SESSION.

On motion of Mr. Gates,

The House insisted on their first amendment to

C. B. 19, Entitled A bill to prevent the escape of penitentiary convicts.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Able, on leave, presented,

The remonstrance of Asahel Bush, and one hundred and fourteen others, against the Salem City charter.

Ordered, That the remonstrance be referred to the same committee to whom was referred

H. B. 6, Entitled A bill to incorporate the town of Salem.

On motion of Mr. King,

House resolved itself into

COMMITTEE OF THE WHOLE,

For the consideration of
H. B. 57, Entitled An act for the relief of Wm. M. King.
And, after some time spent therein the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Collard reported,
The committee of the whole having, according to order, had the bill H. B. 57 under consideration, had directed him to report progress, and ask leave to sit again.
On motion,
The report was adopted.

On motion,
House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Wednesday, Jan. 20, 1858.

CHAS. B. HAND,
Chief Clerk.

THURSDAY, JANUARY 21, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Able, Belknap, Dryer, Hayden, Kirkpatrick, Matthews and Woodsides.

Journal of yesterday read, and approved.

The following petitions were handed to the Clerk, and read under the twelfth rule of the House:

By Mr. Shuck,
The petition of Richard Jacobs, and twenty-six otkers, praying that

the act passed January 30, 1856, locating a Territorial road from Dayton to Corvallis, be amended.

Ordered, That said petition be
Referred to the committee on roads and highways.

Also,

The petition of Henry Noble, praying for the passage of an act to change the names of George, James and Jane Stoley.

Ordered, That said petition be
Referred to a select committee of three.

Speaker appointed,
Messrs, Shuck, Gates, and Cranor, said committee.

By Mr. Cranor,

The petition of John L. Clark, and fifty-seven others, praying for the relocation of a part of a Territorial road.

Ordered, That the said petition be
Referred to committee on roads and highways.

By Mr. Whiteaker,

The remonstrance of Isaac Briggs, and twenty-eight others, against the passage of a law authorizing a change in the Territorial road leading from Oregon City to Pleasant Hill.

Ordered, That said petition be
Referred to the committee to whom C. B. 33 was referred to.

By Mr. Brown of Linn,

The account of F. M. Arnold, against the Territory of Oregon, and certificate to the same of B. F. Bonham, Territorial Auditor.

Ordered, That the said account and certificate be
Referred to Committee on Claims.

Mr. Allen, from the committee on corporations, to whom was referred the bill, H. B. 62, reported the same back with the recommendation that said bill do pass.

Also, C. B. 28, reported back with amendments
On motion,
The amendments to the bill, C. B. 28, was adopted.

Mr. Gates, from the committee on Indian Affairs, to whom was referred

C. B. 20, To prohibit and punish the sale of intoxicating liquors to Indians

Made report, that the committee, having had the same under consideration, and having made a careful comparison of said bill with the now existing laws in force in such cases made and provided, are of the opinion that the slight change sought to be made by the bill will not justify a mutilation of the present Statutes, and therefore recommend that the bill be not passed.

On motion,

The report was adopted.

Mr. Matthews, from the committee on engrossed bills, reported H. B's 55 and 64, correctly engrossed.

Mr. Cox, from the committee on roads and highways, to whom was referred C. B. 32, reported the same back with the recommendation that the bill be passed.

Mr. Cranor, from the judiciary committee to whom was referred

H. B. 27, Entitled A bill to confirm an act to create public administrators, passed January 29, 1856.

Made report by bill, as substitute,

H. B. 71, Entitled A bill to create public administrators.

Read first time.

On motion,

The rules were suspended, and the bill

Read a second time, and

Referred to the judiciary committee.

Mr. Matthews, from the select committee to whom was referred H. B. 50, reported the same back with amendments

On motion,

The report was adopted.

On motion of Mr. Cole.

The bill was

Laid upon the table

Mr. Cox, from the committee on roads and highways, introduced

H. B. 72, Entitled A bill to locate a Territorial road leading from Oregon City to Portland, in Multnomah county.

Read first time.

Mr. Cox, from the committee on roads and highways, to whom was referred C. B. 29, reported the same back to the House with the recommendation that the bill be not passed.

Mr. Johnson, on leave, introduced,

H. B. 73, Entitled A bill for the relief of Wm. M. King and others.

Read first time.

On motion,

The rules were suspended, and the bill

Read second time, and

Referred to Judiciary committee.

Mr. Warren, from the committee to whom was referred the petition of James M. Carroll, introduced,

H. B. 74, Entitled A bill to divorce James M. and Christiana Carroll.

On motion,

The rules were suspended, and the bill

Read second time.

On motion,

The rules were further suspended, and the bill

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cooley, Collard, Cole, Gates, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Whiteaker and Warren—17.

Nays—Messrs. Cranor, Hill, Slater and Mr. Speaker—4.

So the bill passed.

Mr. Brown of Jackson from the select committee reported

C. B. 35, with amendments.

The report was adopted.

Mr. Brown of Jackson, from the joint committee, introduced,

H. J. M. 1, In behalf of Mrs. Mary A. Harris.

On motion,

The memorial adopted.

H. B. 66, Entitled A bill to authorize Marion county to assist in the re-construction of La Bish bridge.

Read second time, and

Ordered engrossed and

Read a third time to-morrow.

C. B. 34, An act supplementary to an act to establish an institution of learning in Polk county, passed Jan. 18, 1856.

Read second time.

On motion of Mr. Spear,

H. B. 62, Entitled An act to incorporate the Althouse and Illinois valley wagon-road company.

Was considered engrossed, and

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows.

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gates, Hill, Hughes, Jeffers, Johnson, King, Maek, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

H B. 55, Entitled A bill to locate a Territorial road from Ramsey's Mill, in Yamhill county, to Portland, in Multnomah county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

H. B. 64, Entitled A bill to divorce the bonds of matrimony heretofore existing between Caleb Sales, and Sarah Sales.

Read third time.

The question being

"Shall the bill pass?"

Pending debate thereon,

The House adjourned.

AFTERNOON SESSION.

Question on H. B. 64 still pending,
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Gates, Jeffers, King, Shuck, Whiteaker and Warren—12.

Nays—Messrs. Hill, Spear, Slater Mr. Speaker—4.

So the bill passed.

C. B. 20, Entitled A bill to prohibit and punish the sale of intoxicating liquors to Indians.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Shuck and Slater—2.

Nays—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor Cooley, Collard, Gates, Hill, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—20.

So the bill was lost.

C. B. 28, Entitled A bill to incorporate the Astoria and Willamette valley rail road company.

Read third time.
Question being
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Cox, Cranor, Cooley, Collard, Hill, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Whiteaker, Woodsides and Warren—18.

Nays—Messrs. Brown of Jackson, Gates, Slater and Mr. Speaker—4.

So the bill passed.

C. B. 29, A bill to legalize a certain road in Clackamas county.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—None.

Nays—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gates, Hill, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr Speaker—22.

So the bill was lost.

C. B. 32, A bill to locate a Territorial road.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gates, Hill, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—22.

Nays—None.

So the bill passed.

C. B. 35, An act for the relief of J. W. Moffitt, Aaron Rose, and H. D. O'Bryant.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox-Cooley, Collard, Cole, Jeffers, King, Mack, Matthews, Rees, Spear, Woodsides and Mr. Speaker—15.

Nays—Messrs. Cranor, Gates, Johnson, Shuck, Slater, Whiteaker and Warren—7.

So the bill passed.
The question being,

Shall the title of the bill remain the title of the act?

Mr. Collard moved,

That the title be altered, so as to read, H. D. O'Bryant, and others.

Adopted.

C. B. 36, A bill for the relief of school districts No's 13 and 14, in Linn county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows.

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Collard, Cranor, Cooley, Colo, Gilliland, Gates, Hill, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Whiteaker, Slater, Woodsides, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

Mr. Woodsides introduced,

H. J. R. 17,

Resolved by the Legislative Assembly of Territory of Oregon, That the Territorial Printer be directed to print, with the pamphlet copy of the laws of this session, the Constitution of the State of Oregon, as adopted by the qualified voters thereof, on the ninth day of November, 1857.

Mr. Cranor moved,

To lay the resolution on the table;

Adopted.

Message from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Jan. 18, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council do not concur in the amendments of the House to the bills,

C. B. 6, Entitled, A bill to amend chapter XI, of the Statutes of Oregon, entitled offenses against chastity, morality and decency.

Also,

C. B. 7, A bill to incorporate the trustees of Trinity College.

THOS. B. MICOU,
Chief Clerk.

On motion of Mr. Gates,
The House insisted on their amendments to C. B. 6.

Mr. King moved,
That the House recede from their amendments to C. B. 7.
The question being,
Shall the House recede?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Hill, Johnson, King and Warren—4.

Nays—Messrs Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hughes, Jeffers, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides and Mr. Speaker, —21.

So the House refused to recede.

Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Jan. 21, 1858.

MR. SPEAKER:

I am instructed by the President to inform you that the Council has passed, with one amendment,

H. B. 24, Entitled A bill to incorporate the Applegate mining, milling and irrigating water-ditch company.

They have also passed with sundry amendments,

H. B. 30, Entitled An act to change the name of Eviline and Douglas D. Hess.

Which are herewith returned, with the amendments, in which I am directed to ask the concurrence of the House.

I am farther directed to inform you that the President of the Council has signed the following bills:

C. B's 8, 11, 13, 14, 15, 18, 23 and 30.

Also,

H. B's 11, 14, 17, 18, 21 and 31.

H. J. R's 9, and 10.

Which bills and joint resolutions are herewith returned.

THOS. B. MICOU,
Chief Clerk.

Mr. Shuck moved,

That the House concur in the amendments to H. B's 24 and 30.

Adopted.

COUNCIL CHAMBER, Jan. 21, 1858.

MR. SPEAKER:

I am directed by the President of the Council to inform you that the Council has passed a bill to divorce Richard W. Phillips, and Margaret Ellen Phillips, in which the concurrence of the House is requested.

Said bill and accompanying petition are herewith transmitted.

THOS. B. MICOU,
Chief Clerk.

C. B. 41, Entitled, A bill to divorce Richard W. Phillips, and Margaret Ellen Phillips.

Read first time.

On motion of Mr. Gates,

The rules were suspended, and the bill

Read second time.

On motion of Mr. Gates,

The bill was referred to a select committee, consisting of Messrs. Gates, Allen and Cooley.

COUNCIL CHAMBER, Jan. 21, 1858.

MR. SPEAKER:

I am instructed by the President to inform you that he has signed the following bills of the House, and House joint resolution, which are herewith returned:

H. B's 25, 26, 28 and 32.

H. J. R. 13, also.

C. B's 2, 10, 16, and 17.

I am further instructed to inform you that the Council insist upon their disagreement to the amendment of the House, to

C. B. 19, Entitled A bill to prevent the escape of penitentiary convicts,

And ask a conference upon the said disagreeing votes of the two Houses. and have appointed Messrs Wait and Drain managers of said conference on the part of the Council.

The Council have passed bills of the House of the following titles, and herewith returned, viz:

H. B. 43, Entitled An act to amend an act entitled an act to tax and protect Chinamen mining in Oregon.

H. B. 46, Entitled A bill to locate a Territorial road leading from near Fort Lane, in Jackson county, to Roseburg, in Douglas county.

H. B. 51, Entitled A bill to amend an act entitled an act to locate a Territorial road from Linn City, in Clackamas county, to Hillsborough in Washington county, passed Jan. 20, 1857.

H. B. 53, Entitled A bill to divorce William and Caroline Garlick.

H. B. 54, Entitled A bill to establish Corvallis College.

The Council have adopted a memorial:

C. M. 2, To Congress in reference to the unexpended fund appropriated for public buildings.

In which the concurrence of the House in requested.

THOS. B. MICOU,
Chief Clerk.

Ordered, That the House grant a conference upon the disagreeing votes of the two Houses upon

C. B. 19, A bill to prevent the escape of penitentiary convicts,

Speaker appointed

Messrs. Gates and Cranor, managers of said conference, on the part of the House.

Ordered, That the Clerk acquaint the Council therewith.

C M. 2, Relative to the unexpended fund appropriated for public buildings.

Was read, and

Adopted.

On motion,

The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Thursday, Jan. 21, 1858.

CHAS. B. HAND,
Chief Clerk.

FRIDAY, JANUARY 22, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Dryer, Hayden, Kirkpatrick, Spear and Woodsides.

Journal of yesterday, read and approved.

Mr. Hughes, on leave, introduced,

H. J. R. 18,

Resolved, by the House, the Council concurring, That our Delegate General Joseph Lane, is requested to urge the attention of Congress to a former memorial of the Legislative Assembly of this Territory, in relation to the vacation of the Table Rock Reservation, in Rogue river valley; also, to the memorial of Robert Metcalf, and others, praying the privilege of entering the claims of which they were dispossessed by the location of said reserve.

On motion,

The resolution was adopted.

Mr. Matthews, from the committee on engrossed bills, reported H. B. 66, correctly engrossed.

Mr. Cox, from the committee on roads and highways, to whom was referred the petition of Larken Vanderpool, and others, made report by bill:

H. B. 75, Entitled A bill to relocate a part of road leading from Doaks Ferry to Corvallis, in Benton county.

Read first time.

Mr. Cranor, from the committee on judiciary, to whom was referred H. B. 71, reported the same with amendments.

On motion,

The report was adopted.

Mr. Cox, from the committee on roads and highways, to whom was referred the petition of John J. Clark, and other citizens of Linn county asking the relocation of a Territorial road, made report by bill:

H. B. 76, Entitled A bill to relocate a part of a road from Union Point to Evans' Ferry, in Linn county,

Read first time.

Mr. Cranor, from the special committee to whom was referred H. B's 3 and 4, made report by substitute:

H. B 77, Entitled A bill to amend an act entitled an act to provide for the sale of common school lands of the Territory of Oregon.

Read first time.

Mr. Cox, from the committee on roads and highways, to whom was referred the petition of Richard Jacobs, and others, to relocate a part of the Portland and Corvallis Territorial road, made report by bill:

H. B. 78, Entitled A bill to relocate the Portland and Corvallis Territorial road.

Read first time.

Mr. Shuck, from the select committee to whom was referred the petition of Henry Noble, made report by bill:

H. B. 79, Entitled A bill to change the name of George, James and Jane Stoley.

Read first time.

Mr. Able introduced,

H. B. 80, Entitled A bill to grant Absalom Brooks a divorce.

Read first time.

Mr. Gates, from the select committee to whom was referred

C. B. 21, Entitled A bill to divorce Richard W. Phillips,

Made report of the same back to the House with the recommendation that the bill be passed.

On motion,

The report was adopted.

Mr. Able from the select committee to whom was referred H. B. 6, made report of the same back to the House, with amendments.

On motion,

The report was adopted.

Ordered, That said bill be engrossed, and

Read third time to-morrow.

H. B. 65, Entitled A bill to carry into effect the entry of the town site of the City of Portland.

Read second time,
Ordered engrossed and
Read a third time to-morrow.

H. B. 67, Entitled A bill to more effectually provide for the labor of convicts.

Read second time, and
Referred to committee of the whole.

H. B. 66, Entitled A bill to authorize Marion county to assist in the re-construction of La Bish bridge.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Warren and Mr. Speaker—21.

Nays—Mr. Cranor—1.

So the bill passed.

C. B. 34, An act supplementary to an act to establish an institution of learning in Polk county, passed Jan. 15, 1856.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Warren and Mr. Speaker —22.

Nays—None.

So the bill passed.

C. B. 41, Entitled A bill to divorce Richard W. Phillips.

Read third time.
Question being,
Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Warren, and Mr. Speaker —20.

Nays—Messrs. Able and Cranor—2.

So the bill passed.

Messages from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Jan. 21, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to transmit to you the enrolled bills of the Council, 21 and 31, and the memorial of the Council, No. 2, herein enclosed, requesting your signature thereto.

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Jan. 21, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council has passed bills of the following titles:

C. B. 37, A bill to review and relocate a Territorial road.

C. B 38, An act for the relief of School district No. 18, in Lane county.

C. B. 39, A bill to incorporate the First Congregational Society, at Oregon City.

C. B. 40, A bill to vacate a part of the Territorial road leading from Eagle Mills to the Mountain House, in Jackson county, O. T.

In which they request the concurrence of the House.

They have also passed a bill of the House of the following title:

H. B. 56, Entitled A bill to incorporate the Odd Fellows' Lodge, in the town of Salem, Marion county.

They do concur with the House, in the passage of

H. B. 15, Entitled, A bill for the relief Roberts & Shartle.

H. B. 60, Entitled An act for the relief of John Smith, sheriff of Linn county.

H. J. R. 12, In reference to joint committee for a revision of the road law.

THOS. B. MICOU,
Clerk of the Council.

Accordingly, C. B's 37, 38, 39 and 40 were
Read a first time.

Mr. King presented
The petition of E. W. Nottage, for divorce.
Ordered, That said petition be
Referred to a select committee of three.
Speaker appointed,
Messrs. Brown of Jackson, King and Warren, said committee.

Mr. Hughes gave notice,
That on to-morrow or some subsequent day of the session, he would introduce a bill to remove the penitentiary from Portland to Oregon City.

Mr. Warren, on leave, introduced,
H. B. 81, Entitled A bill authorizing A. P. Mincar, and his associates to erect a wharf at Ranier, Columbia county.
Read a first time.

On motion,
The House adjourned

AFTERNOON SESSION.

The Speaker announced, he had signed,
C. M. 1, and H. M. 1, also,
C. B's 21 and 31, and
H. B's 34, 35, 36, 39, 44, 48 and 49.
Ordered, That the Clerk transmit the same to the President of the Council for his signature.

Mr. Hughes, on leave, presented,

The petition of Wm. Gearheart, for divorce; which was

Referred to a select committee, consisting of Messrs. Whiteaker, Hughes and Hill.

On motion of Mr. Collard,
House resolved itself into

COMMITTEE OF THE WHOLE,

For the consideration of
H. B. 63, Entitled A bill for the relief of George E. Cole.
And, after some time spent therein the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Johnson reported,

That the committee, having according to order had the bill H. B. 63, under consideration, had directed him to report the same back to the House with the recommendation that the bill do pass.

On motion,
The report was adopted.

On motion,
House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Friday, Jan. 22, 1858.

CHAS. B. HAND,
Chief Clerk.

SATURDAY, JANUARY 23, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Belknap, Dryer, Hayden, Jeffers, Kirkpatrick and Woodsides.

Journal of yesterday read, and approved.

Mr. Matthews, from the committee on engrossed bills, reported H. B. 65, correctly engrossed.

Mr. Slater, from the select committee to whom was referred the petition of George P. Wren, and others, made report of the same back to the House, with the recommendation that no further action be had in relation thereto.

Also, a bill,

H. B. 82, A bill to amend an act entitled an act providing for declaring certain water courses navigable.

Read first time.

On motion,

The rules were suspended, and the bill

Read second time; and

Referred to the judiciary committee.

Mr. King, from select committee, introduced,

H. B. 83, Entitled A bill to annex a part of Washington county to Multnomah county.

Read first time.

Mr Collard, from the select committee to whom was referred H. B. 12, made report of the same back to the House, with amendments.

The report was adopted.

Ordered, That said bill be engrossed, and

Read third time on Monday.

Mr. Whiteaker, from the select committee, introduced,

H. B. 84, Entitled An act to divorce William Gearheart, from Matilda Gearhart.

Read first time.

Mr. Brown of Jackson, from select committee introduced,

H. B. 85, Entitled A bill for the divorce of E A. Nottage and Priscilla Nottage.

Read first time

On motion,

The rules were suspended, and the bill

Read second time, and

Ordered engrossed, and

Read third time on Monday.

Mr. Cox, on leave of the House, withdrew the petition of Mary A. Ward, and presented the mutual petition of Mary A. Ward, and Thomson Ward, accompanied by bill

H. B 86, Entitled A bill to divorce Thomson Ward, and Mary A. Ward.

Read first time.

Mr. Brown of Linn, on leave of the House, withdrew the petition of Roberts & Shartle, praying for relief.

Mr. Brown of Jackson introduced,

H B 87, Entitled A bill to establish and authorize a system of rewards for the apprehension of fugitives from justice.

Read first time.

On motion,

The rules were suspended, and the bill

Read a second time, and

Referred to committee of the whole.

And made the special order of the day for Tuesday next.

H. B. 68, Entitled An act to provide for inspecting salmon, and for the appointment of an inspector.

Read second time, and

Referred to the committee on Indian affairs.

H. B. 69, Entitled A bill to authorize the Governor of the Territory of Oregon to sell the stone that constituted the foundation walls of the capitol building.

Read second time, and

Ordered engrossed and

Read a third time on Monday.

H. B. 70, Entitled a bill to amend an act entitled an act to provide for the selection of places for the location and erection of the public buildings of the Territory of Oregon.

Read second time.

On motion of Mr. Cranor,

That the bill be indefinitely postponed,

Mr. Slater moved,

That there be a call of the House.

The roll having been called the following named members failed to answer to their names:

Messrs. Belknap, Dryer, Hayden, Jeffers, Kirkpatrick and Matthews.

Ordered, That sergeant-at-arms be dispatched after the absent members

The sergeant-at-arms having appeared with Mr. Jeffers;

At ten o'clock, and fifty-five minutes,

On motion of Mr. King,

House adjourned.

AFTERNOON SESSION.

The question to indefinitely postpone still pending,

Mr. Cranor, on leave, withdrew the motion.

Mr. Able moved,

To lay the bill on the table.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Cox, Cranor, Cooley, Gates, Jeffers, Spear, Woodsides and Mr. Speaker—10.

Nays—Messrs. Allen, Collard, Cole, Gilliland, Hill, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker and Warren—14.

So the House refused to lay the bill on the table.

Ordered, That the bill be engrossed, and

Read third time on Tuesday.

Mr. Able, from the committee on engrossed bills, reported H. B. 6 correctly engrossed.

Mr. Shuck, on leave, introduced,

H. B. 88, Entitled A bill to incorporate the Baptist College at McMinnville.

Read first time.

On motion,

The rules were suspended, and the bill

Read second time, and

Referred to committee on corporations.

Mr. Cox, on leave of the House, withdrew from the files of the House the account of Asahel Bush, for expenses of printing for the Constitutional Convention.

C. B. 37, Entitled A bill to review and relocate a Territorial road.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cooley, Gilliland, Gates, Hill, Jeffers, King, Mack, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—20.

Nays—Mr. Cole—1.

So the bill passed.

C. B. 38, Entitled An act for the relief of school district No. 18, in the county of Lane.

Read second time.

Rules suspended, and the bill

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cooley, Cole, Gilliland, Gates, Hill, Jeffers, Johnson, King, Mack, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—21.

Nays—None.

So the bill passed.

C. B. 39, Entitled A bill to incorporate the First Congregational Society at Oregon City.

Read second time.

C. B. 40, Entitled A bill to vacate a part of the Territorial road leading from Eagle Mills to the Mountain House, in Jackson county, Oregon.

Read second time.

H. B. 65, Entitled A bill to carry into effect the entry of the town site of the City of Portland.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cooley, Cole, Gilliland, Gates, Hill, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—21.

Nays—Mr. Spear—1.

So the bill passed.

On motion of Mr. Shuck,

The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Saturday, Jan. 23, 1858.

CHAS. B. HAND,
Chief Clerk.

MONDAY, JANUARY 25, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Collard, Dryer, Hayden, Hughes, Kirkpatrick, Mack, Matthews and Woodsides.

Journal of Saturday, read and approved.

Mr. Cranor, from the judiciary committee to whom was referred
H. B. 73, Entitled A bill for the relief of Wm. M. King and others
Made report of the same back to the House with amendments.
On motion of Mr. King,
The report was laid upon the table.

Mr. Cox, from the committee on roads and highways, to whom was referred,
H. B. 19, Entitled A bill to authorize the election of supervisors.
Made report of the same back to the House, with the recommendation that it do not pass.
Mr. Jeffers moved,
That the report be accepted.
Mr. Johnson moved,
To amend, by adding that it be referred to a select committee, with instructions to so amend the bill that supervisors shall be elected at the regular annual election.
Also, to amend Sec. 5, as follows:

"This act to take effect and be force from and after the first of June next."
The question being upon the amendment, it was
Not adopted.
The question recurring upon the motion of Mr. Jeffers,
The report of the committee was accepted.

Mr. Matthews, from the select committee to whom was referred the petition of L. F. Jordan, made report by bill:
H. B. 89, Entitled A bill for the relief of Lawrence F. Jordan.
Read first time.
On motion.

The rules were suspended, and the bill
Read second time.
Ordered engrossed, and
Read third time to-morrow.

On motion of Mr. King,
That the committee of the whole be discharged from further consideration of

H. B. 57, Entitled An act for the relief of Wm. M. King.

And the same be read a third time now, and put upon its passage, and on that motion moved the previous question, which was seconded.
The question being upon the motion, it was
Adopted.

Mr. Gilliland presented,
The remonstrance of Thomas Warwick, and one hundred and sixty-three others, against the passage of an act locating a Territorial road, from Portland, *via.* Milwaukie, and P. M. Rhinearson's to Main street, in Oregon City, which was
Referred to the committee on roads and highways.

Mr. Gates, from the committee of conference on disagreeing votes of the two Houses, on the bill:
C. B. 19, A bill to prevent the escape of penitentiary convicts,
Submitted the following report, viz:

The committee of conference, to whom was referred the disagreement of the two Houses upon the subject of the first House amendments of C. B. 19, respectfully report that the committee on the part of the House consent to, and recommend that the House recede from its amendment upon condition that section first of said bill be amended to read as follows, to-wit:

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Oregon,* That every Territorial convict, who, with a deadly weapon, shall strike, wound, stab, shoot, or shoot at, the Superintendent of the Penitentiary, any keeper, or assistant keeper of the Penitentiary, or any sheriff, or deputy sheriff, having lawful charge of such convict, shall, upon conviction thereof, suffer death.

And the committee on the part of the Council do agree to recommend

that section first of said bill be amended to read as last above stated.

A. E. WAIT,
CHAS. DRAIN,
Council Com.
N. H. GATES,
N. H. CRANOR.
House Com.

On motion,
The report was adopted
Ordered, That the Clerk acquaint the Council therewith.

H. B. 71, Entitled A bill to create public administrators.
Read second time,
Ordered engrossed and
Read a third time to-morrow.

H. B. 77, Entitled A bill to amend an act entitled an act to provide for the sale of common school lands of the Territory of Oregon.
Read second time.
Ordered engrossed, and
Read a third time to-morrrow.

H. B 57, Entitled a bill for the relief of Wm. M. King.
Read third time.
Mr. King moved,
The previous question
Mr. Brown of Linn moved,
That there be a call of the House
The Clerk proceeded to call the roll; when
On motion of Mr. King,
Further call was dispensed with; and
The previous question seconded.
Mr. Woodsides moved,
At eleven o'clock at ten minutes, that the House adjourn.
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Brown of Linn, Cranor, Cooley, Woodsides and Mr Speaker—5.

Nays—Messrs. Able, Allen, Cox, Cole, Gilliland, Gates, Hill, Jeffers,

Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker and Warren—18.

So the House refused to adjourn.

The question was then put:
Shall the main question be now put?
Whereupon, Mr. Spear requested to be excused from voting;
Which request was not granted.
Question being,
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Cole, Gilliland, Hill, Jeffers, Johnson, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker and Warren—14.

Nays—Messrs. Able, Brown of Linn, Cox, Cranor, Cooley, Gates, Woodsides and Mr Speaker—8.

So the bill passed.

H. B. 6, Entitled A bill to incorporate the town of Salem.
Read third time.
Question being
Shall the bill pass?
Mr. Woodsides moved,
That it be referred to the committee on corporations, with instructions to insert the following amendment:

Amend, so as to make cottage street the eastern boundary, and division street the northern boundary of said city.

Pending debate thereon,
On motion,
The House adjourned.

AFTERNOON SESSION.

The question on the amendment to the bill H. B. 6, still pending.

Mr. Johnson moved,

To amend the amendment by changing the northern boundary so as to include the Woolen Manufactory.

The question being upon the amendment of Mr. Johnson;

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Collard, Hill, Jeffers, Johnson, Rees, Shuck, Slater and Warren—9.

Nays—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Cole, Gilliland, Gates, Hughes, King, Mack, Matthews, Spear, Whiteaker, Woodsides and Mr. Speaker—17.

So the amendment was not adopted.

The question now being on the amendment of Mr. Woodsides.

The yeas and nays were demanded and resulted as follows:

Yeas—Messrs. Allen, Cox, Gates and Woodsides—4.

Nays—Messrs. Able, Brown of Linn, Brown of Jackson, Cranor, Cooley, Collard, Cole, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Warren and Mr. Speaker—21.

So the amendment was not adopted

The question recurring upon the passage of the bill.

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cranor, Cooley, Collard, Cole, Hill, Hughes, Jeffers, Johnson, Mack, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides Warren and Mr. Speaker—21.

Nays—Messrs. Cox, Gates, King and Matthews—4.

So the bill passed.

By consent, Mr. Matthews, from the committee on engrossed bills, reported H. B's 12, 69, 70, and 85, correctly engrossed.

By consent, Mr. Spear, from the committee on enrolled bills, reported
H. B's 46, 43, 30, 51, 53, 42 and 37, and also,
C. B's 32, 35 and 36,
Correctly enrolled

Mr. Brown of Jackson, introduced,
H. B. 90, Entitled A bill for the relief of Archelaus Jordan.
Read first time.

Mr. Gates, from the committee on Indian Affairs, to whom was referred
H. B. 68, Entitled An act to provide for inspecting salmon, and for the appointment of an inspector.
Made report of the same back to the House, without amendment, or recommendation.
On motion,
The report was adopted.

H. B. 69, Entitled A bill to authorize the Governor of the Territory of Oregon to sell the stone that constituted the foundation walls of the capitol building.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Cox, Cranor, Cooley, Gilliland, Hughes, Jeffers, Matthews, Rees, Spear and Mr. Speaker—12.

Nays—Messrs. Allen, Brown of Jackson, Collard, Cole, Gates, Hill, Johnson, King, Mack, Shuck, Slater, Whiteaker, Woodsides, and Warren—14.

So the bill was lost.

Messages from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Jan. 25, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council have passed bills of the following titles;

C. B. 42, An act to locate a Territorial road from Salem, in Marion county, to the Eagle Mills, in Polk county.

C. B. 43, A bill to amend an act passed January 18, 1856, to incorporate the town of Astoria.

In which the concurrence of the House is requested.
They passed bills of the House of the following titles:

H. B. 59, Entitled A bill to divorce Clara Mull.

H. B. 62, Entitled An act to incorporate the Althouse and Illinois valley wagon-road company.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B. 42 was
Read first time.

C. B. 43 was
Read first time.
On motion,
The rules were suspended, and the bill
Read a second time, and
The rules were further suspended, and the bill was
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

Ordered, That the Clerk acquaint the Council therewith.

COUNCIL CHAMBER, Jan. 22, 1858.

MR. SPEAKER:

I am instructed by the President to inform you that the Council has passed the bill,

H. B. 58, Entitled An act to amend an act for the establishing of a pilotage on the Columbia and Willamette rivers, passed Sept. 19, 1849.

By an amendment in the name of a substitute therefor, in which the concurrence of the House is requested.

They have also concurred in the joint memorial to Congress, in behalf of Mrs. M. A. Harris, with one amendment, to-wit:

To strike out the word "should," in the twentieth line on second page of the manuscript copy, and insert in place of the word so stricken out, the words following, "we trust will," in which amendment the concurrence of the House is requested.

THOS. B. MICOU,
Clerk of the Council.

The bill, as substitute for H. B. 58, was
Read first time.
On motion,
The rules were suspended, and the bill
Read second time, and
Referred to the judiciary committee.

On motion,
The House concurred in the amendment of the Council to the joint memorial in behalf Mrs. M. A. Harris.

Ordered, That the Clerk acquaint the Council therewith.

COUNCIL CHAMBER, Jan. 22, 1858.

MR. SPEAKER:

I am directed by the President to inform you that the Council concur in the amendments of the House to C. B's 28 and 35.

The Council insist on their disagreement to the amendments of the House to the following named bills:

C. B. 6, Entitled, A bill to amend chapter XI, of the Statutes of Oregon, entitled offenses against chastity, morality and decency.

C. B. 7, A bill to incorporate the trustees of Trinity College.

And ask a conference with the House, on the said disagreeing votes of the two Houses, and have appointed, as a committee of said conference, on the the part of the Council, on the amendments to the C. B. 6, Messrs. Wait and Smith;

And on the amendments to C. B. 7,
Messrs. Wait and Sheil.

THOS. B. MICOU,
Chief Clerk.

On motion of Mr. Brown, of Jackson,

That the House insist upon its amendments to the bills C. B's 6 and 7, and agree to the conference asked by the Council, upon the disagreeing votes of the two Houses therein.

Adopted.

Speaker appointed

As a committee of said conference, to the bill C. B 6, Messrs. Brown of Jackson and Jeffers, on the part of the House; and

On the amendments to the bill C. B. 7, Messrs. King and Whiteaker.

Ordered, That the Clerk acquaint the Council therewith.

COUNCIL CHAMBER, Jan. 25, 1858.

MR. SPEAKER:

The President of the Council directs me to inform you that the Council have passed the bill:

H. B. 64, Entitled A bill to divorce the bonds of matrimony heretofore existing between Caleb Sales, and Sarah Sales

They have also adopted the report of the committee of conference on the bill,

C. B. 19, A bill to prevent the escape of penitentiary convicts,

The Council have adopted a resolution,

C. J. R. 6, Relative to prohibiting the introduction of new business after Saturday next, in which they request the concurrence of the House.

They have concurred in the resolution,

H. J. R. 18, Relative to vacating Table Rock Reservation.

THOS. B. MICOU,
Chief Clerk.

C. J. R. 6, was read.

Mr. Gates moved,

To amend the resolution by adding, that the House do adjourn *sine die*, on Monday the first of February.

Not adopted.

On motion of Mr. King,

The resolution was laid upon the table.

On motion,
The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Monday, Jan. 23, 1858.

CHAS. B. HAND,
Chief Clerk.

TUESDAY, JANUARY 26, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Belknap and Kirkpatrick.

Journal of yesterday read, and approved.

Mr. King arose to a question of privilege, and asked,
That the Speaker order the Clerk to transmit H. B. 57, to the Council for its concurrence.
Whereupon,
Mr. Spear moved,
That the order of business be suspended, that the House might vote on the reconsideration of the vote on the final passage of said bill.
The question was then put,
Shall the order of business be suspended?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Dryer, Gilliland, Gates, Hayden, Hughes, Matthews, Spear, Whiteaker, Woodsides and Mr. Speaker—16.

Nays—Messrs. Allen, Collard, Cole, Hill, Jeffers, Johnson, King, Mack, Rees, Shuck, Slater and Warren—12.

So it was decided in the negative; two-thirds not voting in favor thereof.

The following petitions, memorials, and remonstrances were handed to the Clerk, and read, under the twelfth rule of the House:

By Mr. Dryer,

The petition of J. C. Ainsworth, and fifty-two others, praying that the prayer of B. Jennings, and others, for the location of a Territorial road from Oregon City to the ferry landing opposite Portland be granted.

Ordered, That said petition be

Referred to committee on roads and highways.

By Mr. Gates,

A memorial to the Congress of the United States, relative to Indian Affairs.

On motion,

The memorial was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

By Mr. Whiteaker,

The remonstrance of John H. Howard, and three others, against any legislation in behalf of L. F. Jordan.

Ordered, That said remonstrance be

Laid on the table.

By Mr. Cooley,

The petition of T. J. Duntan for divorce, which was referred to a select committee of three—Messrs Cooley, Johnson and Mathews.

Also, the petition of Louisa Pretz, which was

Referred to a select committee of three.

Speaker appointed,

Messrs. Cooley, Hill and Collard, said committee.

By Mr. Cole,

The petition of Reason Reed, and thirty-seven others, praying for the passage of H. B. 8.

Ordered, That said petition be

Laid on the table.

Mr. Allen, from the committee on corporations, reported H. B. 88, with the recommendation that it do pass.

On motion,

The report was adopted.

Ordered, That said bill be engrossed, and

Read third time to-morrow.

Mr. Spear, from the committee on enrolled bills, reported
C. B's 19, 41, 34, 37, and 28, also,
H. B's 54, 56 and 24,
Correctly enrolled.

Mr. Whiteaker, from the committee on counties, to whom was referred the petition of Thomas Roork, and others, citizens of Clackamas county praying to be set off to Multnomah county, made report by recommending that no further action be taken thereon.

On motion,
The report was adopted.

Mr. Cranor, from the judiciary committee, to whom was referred H. B. 58, as amended, by substitute, made report of the same back to the House, with the recommendation that the substitute to said bill do pass.

On motion,
The report was adopted.

Mr. Matthews, from the committee on engrossed bill, reported
H. B's 63, 68. 71, 73, 77, 81, and 89,
Correctly engrossed.

Mr Cranor, from the judiciary committee, to whom was referred
H. B. 82, A bill to amend an act entitled an act providing for declaring certain water courses navigable.

Made report of the same back with the recommendation that it do not pass.

Ordered, That said bill be engrossed, and
Read third time to-morrow.

Mr. Whiteaker, from the select committee to whom was referred C. B. 33, made report of the same back to the House for its further action.

On motion,
The report was adopted.

Mr. Warren, from the select committee appointed to inquire into the expediency of establishing a line of post coaches from the Columbia to Missouri river, made report by memorial to Congress, No. 3, which was read and

Adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Able, on leave, introduced.

H. B. 91, Entitled A bill for the relief of John Force, H. M. Waller and R. C. Geer, late committee for the erection of public buildings.

Read first time.

Mr. Warren, on leave, introduced,

H. B 92, Entitled An act authorizing Asby P. Minear to establish a Ferry across the Columbia river.

Read first time

Mr. Collard, on leave, introduced,

H. B. 93, Entitled A bill to provide for the erection of a bridge at Moores' Mill, on Tualatin river.

Read a first time

Mr. Woodsides moved,

That the Council be requested to return to the House the bill H. B. 57.

Mr. King having arisen, and addressed the Chair;

Mr. Brown of Jackson made the point of order, that any member being interested in a question, has no right to speak or vote thereupon.

The Speaker overruled the said point of order, deciding that a member had a right to speak but not to vote upon a question in which he was interested.

Pending the consideration of the motion of Mr. Woodsides,

Mr. King and Mr. Brown of Jackson, having risen to address the Chair,

The Speaker recognized Mr. King, when

Mr. Brown claimed that he was entitled to the floor.

The Speaker decided,

That Mr. King was entitled to the floor, unless a member wished to speak who had not spoken on the subject before.

Whereupon,

Mr. Hughes arose and moved the previous question.

Mr. Allen moved,

That there be a call of the House, and that the sergeant-at-arms be dispatched after absent members.

The Clerk proceeded to call the roll, when

Mr. Brown of Linn moved,

That all further proceedings in the call of the House be dispensed with.

Adopted.

And the previous question was not seconded.

On motion,
House adjourned.

AFTERNOON SESSION.

Mr. King having risen and addressed the Chair,

Mr. Brown of Jackson appealed from the decision of the Chair, on point of order made by himself, relative to a member's right to speak upon a question wherein he is interested.

And the question being put,

Shall the decision of the Chair be sustained?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cooley, Collard, Cole, Gates, Hill, Jeffers, Johnson, Matthews, Rees, Shuck, Spear, Slater, Whiteaker and Warren—17.

Nays—Messrs. Brown of Jackson, Cox, Cranor, Dryer, Hayden, Hughes and Woodsides—7.

So the decision of the Chair was sustained.

The question now being upon the motion of Mr. Woodsides, to request the Council to return the bill, H. B. 57,

Mr. Brown of Jackson moved,

That there be a call of the House.

The roll having been called the following named members failed to answer to their names:

Messrs. Belknap, Kirkpatrick and Whiteaker.

Ordered, That all further proceeding in the call of the House be dispensed with.

The question recurring upon the motion of Mr. Woodsides,

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Dryer, Gilliland, Gates, Hayden, Hughes, Jeffers, Matthews, Spear, Woodsides and Mr. Speaker—16.

Nays—Messrs. Allen, Collard, Cole, Hill, Johnson, Mack, Rees, Shuck, Slater and Warren—10.

So the motion was adopted; and

The Clerk ordered to request the Council to return to the House the bill, H. B. 57.

On motion of Mr. Slater,

At four o'clock, and seven minutes, that the House adjourn.

Not adopted.

On motion of Mr. Brown of Jackson,

House resolved itself into

COMMITTEE OF THE WHOLE,

For the consideration of

H. B. 87, Entitled A bill to establish and authorize a system of rewards for the apprehension of fugitives from justice.

And, after some time spent therein the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Brown of Linn reported,

That the committee having, according to order, had H. B. 87 under consideration, had directed him to report the same back to the House, with the recommendation that the bill be laid upon the table and ordered printed, and also the bill,

H. B. 41, Entitled, A bill in relation to advertising in counties.

With one amendment, and recommend its passage.

On motion,

The report was adopted.

The Speaker announced he had signed

H. B's 30, 37, 42, 43, 46, 51, 53, 54, 24 and 56.

Ordered, That the Clerk transmit the same to the President of the Council for his signature.

Mr. Gates introduced,

H. J. R. 19, Relative to instructing our Delegate in Congress to use his influence to procure an appropriation for the purpose of extending

the United States' survey over the lands east of the Cascade mountains and West of Des Shutes river

On motion,

The resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

On motion of Mr. Hughes,

The House took a recess until seven o'clock.

EVENING SESSION.

On motion of Mr. Cox,

That the House now take up the bill,

H. B. 70, Entitled a bill to amend an act entitled an act to provide for the selection of places for the location and erection of the public buildings of the Territory of Oregon.

Mr. Johnson moved,

That there be a call of the House.

The roll having been called, the following named members failed to answer to their names:

Messrs. Belknap, Collard, Hayden, Kirkpatrick, Spear and Slater.

On motion of Mr. Johnson,

All further proceedings in the call of the House were dispensed with.

On motion of Mr. Slater,

At seven o'clock and eight minutes, that the House adjourn.

Not adopted.

The question being on the motion of Mr. Cox,

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Cole, Dryer, Gilliland, Matthews, Rees, Shuck, Slater, Woodsides and Warren—15.

Nays—Messrs. Allen, Collard, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Whiteaker and Speaker—11.

So the bill was taken up; and
Read third time.
Question being,
Shall the bill pass?
Mr. Mack moved,
That the bill be referred to a select committee of one, with instructions to strike out the name of Portland, in Multnomah county, and insert in lieu thereof the name of Eugene City, in Lane county.
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Jeffers, Mack, Matthews, Slater and Whiteaker—5.

Nays—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Cole, Gilliland, Gates, Hill, Hughes, Johnson, King, Rees, Shuck, Woodsides, Warren and Mr. Speaker—21.

So the motion was not adopted.

The question being upon the passage of the bill,
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Collard, Cole, Dryer, Gilliland, Gates, Hill, Johnson, King, Rees, Shuck, Slater and Warren—13.

Nays—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Hughes, Jeffers, Mack, Matthews, Whiteaker, Woodsides and Mr. Speaker—13.

So the bill was lost.

On motion of Mr. Allen,
That the House adjourn.
Not adopted.

On motion of Mr. Hughes,
The committee of the whole was discharged from the further consideration of
H. B. 20, Entitled A bill to amend chapter X, of Oregon Statutes, entitled gaming.
On motion of Mr. Brown of Linn,
The bill was taken up.
On motion of Mr. Dryer,
That the bill be made the special order of the day for to-morrow.
Adopted.

On motion,
The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Tuesday, Jan. 26, 1858.

CHAS. B. HAND,
Chief Clerk.

WEDNESDAY, JANUARY 27, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Belknap, Kirkpatrick, Jeffers and Mack.

Journal of yesterday read, and approved.

Mr. Matthews, from the committee on engrossed bills, reported
H. B's 82 and 88,
Correctly engrossed.

Mr. Spear, from the joint committee on enrolled bills reported
H. B's 62, 64 and 59, and
H. J. R. 18, also,
C. B. 25,
Correctly enrolled.

Mr. Cox, from the committee on roads and highways, to whom was referred

H. B. 72, Entitled A bill to locate a Territorial road leading from Oregon City to Portland, in Multnomah county.

Reported the same back with the recommendation that it do pass.
Ordered, That the bill be engrossed, and
Read third time to-morrow.

Mr. Cooley, from the select committee to whom was referred the petition of Louisa Pretz made report by bill

H. B. 94, Entitled A bill to divorce Louisa Pretz from Frederick Pretz.

Read a first time.

Also,

H. B. 95, Entitled A bill to divorce T. J. Dunten from Marilda Dunten.

Read first time.

On motion of Mr. Johnson,

H. B. 73, Entitled A bill for the relief of Wm M. King and others.

Was taken up, and

Referred to a select committee of three.

Speaker appointed,

Messrs. Johnson, Cranor and Dryer, said committee.

Mr. Hayden gave notice,

That on to-morrow, or some subsequent day of the session, he would introduce a bill to simplify pleadings at law in the district courts.

Also,

A bill to indemnify Polk county against costs incurred in criminal prosecutions, wherein Indians on the reserve, or regulars stationed there are a party.

Mr Brown of Jackson, on leave, introduced,

H. B. 96, Entitled A bill to amend Sec. 46, of an act relating to the assessment and collection of taxes, passed Jan. 27, 1854.

Read a first time.

On motion,

The rules were suspended, and the bill

Read a second time, and

Referred to the committee on education.

Mr. Hayden, on leave, introduced,

H B. 97, Entitled A bill for the relief of John H. Lewis, Treasurer of Polk county.

Read first time.

On motion of Mr. Rees,

Ordered, That H. B. 41, be engrossed and

Read third time to-morrow.

H. B. 75, Entitled A bill to relocate a part of road leading from Doaks Ferry to Corvallis, in Benton county.

Read second time, and

Ordered engrossed and

Read a third time to-morrow.

H. B. 76, Entitled A bill to relocate a part of a road from Union Point to Evans' Ferry, in Linn county,

Read second time,
Ordered engrossed and
Read a third time to-morrow.

H. B. 78, Entitled A bill to relocate the Portland and Corvallis Territorial road.

Read second time.
Ordered engrossed, and
Read a third time to-morrrow.

H. B 79, Entitled A bill to change the name of George, James and Jane Stoley.

Read second time.
Ordered engrossed, and
Read third time to-morrow.

H B. 80, Entitled A bill to grant Absalom Brooks a divorce
Read second time, and
Ordered engrossed, and
Read third time to-morrow.

H. B. 83, Entitled A bill to annex a part of Washington county to Multnomah county.

Read second time.
Mr. Johnson moved,
That the rules be suspended, and the bill be read third time now.
Not adopted.
Ordered, That said bill be engrossed, and
Read third time to-morrow.

Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Jan. 27, 1858.

MR. SPEAKER:

The President of the Council directs me to inform you that the Council requests you to return to them the memorial C. M. 3, transmitted to you on yesterday.

THOS. B. MICOU,
Chief Clerk.

H. B. 84, Entitled An act to divorce William Gearheart, from Matilda Gearhart.

Read second time.

On motion,

The rules were suspended, and the bill

Considered engrossed, and

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Jackson, Cox, Cooley, Collard, Gates, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees and Whiteaker—14.

Nays—Messrs Able, Cranor, Hill, Spear, Slater, Woodsides and Mr. Speaker—7.

So the bill passed.

H. B. 86, Entitled A bill to divorce Thomson Ward, and Mary A. Ward.

Read second time, and

On motion,

The rules were suspended, and the bill

Considered engrossed, and

Read third time.

Question being,

Shall the bill pass?

Mr. Gates moved,

To lay the bill upon the table.

Not adopted.

On motion of Mr. Dryer,

The House adjourned.

AFTERNOON SESSION.

The question on the passage of H. B 86, still pending,
The yeas and nays were demanded and resulted as follows:

Yeas—Messrs Brown of Jackson, Cox, Cooley, Collard, Dryer, Gates, Hughes, Jeffers, Johnson, King, Mack, Matthews, Shuck, Spear, Whiteaker and Warren—16.

Nays—Messrs. Able, Allen, Brown of Linn, Cranor, Hill, Hayden, Slater, Woodsides and Mr. Speaker—9.

So the bill passed.

Mr. Able, on leave, introduced,
H. B. 98, Entitled A. bill to amend an act relating to roads and ferries.
Read first time.

Mr. Brown of Jackson, from the committee on ways and means, submitted the following report.

The committee on ways and means, to whom was referred a portion of the Governor's Message, beg leave to report that they recommend that a memorial be drafted to the Congress of the United States, praying for more efficient protection on our eastern frontiers, and on the overland route to this country, by more extended military posts and lines of defence.

They would also urge the passage of H. B. 67, as comprehending the suggestions in the message relative to the self-supporting character of the Territorial penitentiary.

In relation to the Territorial Auditor's report, which recommends a change in the time of the payments of Territorial revenue, your committee would recommend that the Statutes be so amended as to make the time of payment on the first Monday in July. Also, that county treasurers be allowed the same mileage fees as other county officers in going to, and returning from the capital.

They would also recommend that it be made the duty of the county

auditor to annex to his assesment roll an abstract of the amount of Chinese tax collected the preceding year.

They also recommend that the compensation of guards employed by sheriffs be fixed at three dollars per diem, and the same mileage allowed to sheriffs, and that only one guard be allowed for each prisoner conveyed to the penitentiary.

On motion of Mr. Shuck,

The report was laid upon the table

H. B. 90, Entitled A bill for the relief of Archelaus Jordan.

Read second time; and

Ordered engrossed, and

Read third time to-morrow.

H. B. 91, Entitled A bill for the relief of John Force, H. M. Waller and R. C. Geer, late committee for the erection of public buildings

Read second time, and

Referred to the committee on claims

H. B. 92, Entitled An act authorizing Asby P. Minear to establish a Ferry across the Columbia river.

Read second time.

Ordered engrossed, and

Read third time to-morrow.

C. B. 42, An act to locate a Territorial road from Salem, in Marion county, to the Eagle Mills, in Polk county.

Read second time.

Referred to select committee of three.

Speaker appointed

Messrs. Brown of Jackson, Hayden and Matthews.

Message from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Jan. 26, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council has passed a bill of the following title:

C. B. 47, A bill to amend the Oregon City charter.

In which the concurrence of the House is requested.

They have also passed bills of the House of the following titles.

H. B. 15, Entitled, A bill for the relief Roberts & Shartle

H. B. 60, Entitled An act for the relief of John Smith, sheriff of Linn county.

I am instructed to transmit to you the enrolled bill of the Council, No. 25, and to request your signature thereto.

THOS. B. MICOU.
Chief Clerk.

Accordingly C. B. 47 was
Read first time

On motion,
The rules were suspended, and the bill
Read second time, and

On motion,
The rules were further suspended, and the bill
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Colllard, Dryer, Gates, Hill, Hayden, Hughes, Johnson, King, Mack, Matthews, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—22.

Nays—None.

So the bill passed.

H. B. 12, Entitled An act to amend the road law.
Read third time.
Question being,
Shall the bill pass?
Mr. Collard moved,
To fill the blank in section five with "twenty."
Adopted.
Mr. Hughes moved,
To refer the bill to select committee, with instruction to strike out in

the second line "twenty-one," and insert "eighteen," and "fifty," and insert "forty-five."

Mr. Mack moved,

To instruct the committee to amend by erasing all of Sec. 8, and inserting the following:

SEC. 8. That the act relating to roads and ferries be so amended that the word "April," wherever it occurs be changed to "December."

Mr. Slater moved,

To instruct the committee to strike out in fourth line, Sec. 1, from and after the word "highways," to including the word "five," and insert the following: "Not more than two days."

Mr. Johnson moved,

To instruct the committee to amend Sec. 1, by adding, "and one day's work for every one thousand dollars worth of property."

Mr. Brown of Jackson moved,

To instruct the committee to amend by making the offices of supervisors elective by the voters of the district, and the compensation at the rate of four dollars per diem.

Mr. Cranor moved,

To lay the whole concern on the table.

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Cranor, Dryer, Gates, Hughes, Slater, Whiteaker, Woodsides and Warren—8

Nays—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Hill, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, and Mr. Speaker—15.

So the motion was not adopted

On motion of Mr. Collard,

The reference and all amendments were laid upon the table.

The question being upon the passage of the bill,

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cooley, Collard, Rees, Shuck, Woodsides and Mr. Speaker—10.

Nays—Messrs. Brown of Jackson, Cranor, Dryer, Gates, Hayden, Hughes, King, Mack, Matthews, Spear, Slater, Whiteaker, and Warren—13.

So the bill was lost.

On motion of Mr. Cranor,

H. B. 77, Entitled A bill to amend an act entitled an act to provide for the sale of common school lands of the Territory of Oregon.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gates, Hill, Hayden, Hughes, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker Woodsides, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

On motion of Mr. Gates,

The House took a recess until seven o'clock.

EVENING SESSION.

The Speaker announced he had signed

C. M. 2—H. J. R. 18,

H. B's 59, 64, and 62, and

C. B's 25, 35, 19, 28, 32, 34, 37, 36, 38 and 41.

Ordered, That the Clerk transmit the same to the President of the Council for his signature.

On motion of Mr. Dryer,

H. B. 20, Entitled A bill to amend chapter X, of Oregon Statutes, entitled gaming.

Was taken up, and

On motion of Mr. Johnson,

The bill was considered engrossed, and ordered to be read third time.

Accordingly, the bill was

Read third time.

Question being

Shall the bill pass?

On motion of Mr. Slater,

The vote by which the bill was considered engrossed, and read third time was reconsidered, and the bill referred to a select committee of three.

Speaker appointed,

Messrs. Dryer, Brown of Jackson and Hughes, said committee.

On motion,

House adjourned

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Wednesday, Jan. 27, 1858.

CHAS. B. HAND,
Chief Clerk.

THURSDAY, JANUARY 28, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Belknap and Kirkpatrick

Journal of yesterday read, and approved.

Mr. Jeffers presented,

The petition of Mrs. J. C. Parker, and twenty nine others, female residents of the Territory, praying for the passage of a law authorizing the legal voters in each election precinct within the Territory to decide by vote whether they will allow spirituous liquors to be sold within such respective precincts, and also, that married females be permitted to vote upon the question.

On motion,

The petition was laid upon the table.

Mr. Woodsides, from the committee on education, to whom was referred H. B. 96, made report of the same back to the House with the recommendation that it pass.

On motion,

The report was adopted.

Ordered, That said bill be engrossed, and

Read third time to-morrow.

Mr. Spear from the committee on enrolled bills, reported H. J. M. 1, correctly enrolled; when

The Speaker signed the same.

Ordered, That the Clerk transmit the same to the President of the Council for his signature.

Mr. Matthews from the committee on engrossed bills, reported

H. B's 41, 72, 75, 76, 78, 79, 80 and 83,

Correctly engrossed.

Mr. Johnson, from the select committee to whom was referred H. B. 73, together with the report of the judiciary committee, made report of the same, with amendments.

On motion,

The report was adopted.

On motion of Mr. Dryer,

The blank in the bill was filled with the word "five."

On motion of Mr. Johnson,

The rules were suspended, and the bill was

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Johnson, Matthews, Rees, Shuck, Spear, Slater, Woodsides, Warren and Mr. Speaker—23.

Nays—Mr. Whiteaker—1.

So the bill passed.

Mr. Brown of Jackson, from the committee to whom was referred C. B. 42, made report of the same back with the recommendation that it do pass.

On motion,

The report was adopted.

Mr. King from the committee on military affairs, introduced.

H. B. 99, Entitled A bill to provide for the storage and care of the arms and accoutrements belonging to the Territory.

Read first time.

On motion,

Rules suspended, and the bill

Read second time.

Ordered engrossed, and

Read third time to-morrow.

Mr. Gates, on leave, introduced,

H. B. 100, Entitled, A bill to amend an act entitled an act relating to the assessment and collection of taxes.

Read first time.

On motion,

The rules were suspended, and the bill

Read second time; and

Referred to committee of the whole.

On motion of Mr. Cranor,

H. J. R. 17, was taken from the table, and

On motion of Mr. Johnson,

The resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

H. B. 93, Entitled A bill to provide for the erection of a bridge at Moores' Mill, on Tualatin river.

Read second time.

Ordered engrossed, and

Read time to-morrow.

H. B. 94, Entitled A bill to divorce Louisa Pretz from Frederick Pretz.

Read second time.

On motion,

The rules were suspended, and the bill

Ordered to a third reading now;

Accordingly, the bill was

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Cox, Cooley, Collard, Gilliland, Gates, Hill, Jeffers, Johnson, King, Matthews, Rees, Shuck, Whiteaker and Mr. Speaker—15.

Nays—Messrs Brown of Linn, Brown of Jackson, Cranor, Hayden, Hughes, Spear, Slater and Warren—8.

So the bill passed.

H. B. 95, Entitled A bill to divorce T. J. Dunten from Marilda Dunten.

Read second time; and

Ordered engrossed, and

Read third time to-morrow.

On motion of Mr. Cranor,

H. B. 71, Entitled A bill to create public administrators.

Was taken up, and

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Rees, Shuck, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

Mr. Dryer, from the select committee to whom was referred H. B. 20, made report of the same back to the House with amendments.

On motion,

The report was adopted.

Ordered, That said bill be engrossed, and

Read third time to-morrow.

H. B. 41, Entitled, A bill in relation to advertising in counties.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Shuck, Spear, Whiteaker, Woodsides Warren and Mr. Speaker—25.

Nays—Mr. Slater—1.

So the bill passed.

H. B. 58, Entitled An act to amend an act for the establishing of a pilotage on the Columbia and Willamette rivers, passed Sept. 19, 1849.

Read third time.

On motion of Mr. Slater,

The vote adopting the report of the judiciary committee was reconsidered; also,

The vote ordering the bill to a second reading was reconsidered

On motion of Mr. Slater,

That the House do not concur in the amendments of the Council to said bill.

Adopted.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Shuck,

House adjourned.

AFTERNOON SESSION.

On motion of Mr. Shuck,

H. B. 79, Entitled A bill to change the name of George, James and Jane Stoley.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Cranor, Cooley, Col-

lard, Dryer, Gilliland, Hill, Hughes, Johnson, King, Mack, Matthews, Shuck, Slater, Whitaker Warren and Mr. Speaker—20.

Nays—Messrs. Gates, Hayden, Spear and Woodsides—4

So the bill passed.

On motion of Mr. Gilliland,
H. B. 89, Entitled A bill for the relief of Lawrence F. Jordan.
Was taken up, and
Read third time.
Question being,
Shall the bill pass?
Mr. Dryer moved,
That there be a call of the House.
The roll having been called, the following named members failed to answer to their names:

Messrs. Belknap, Brown of Linn, Cox, Cole, Gilliland, Jeffers, Kirkpatrick, Mack, Rees, Shuck and Whitaker.

Ordered, That the sergeant-at-arms be dispatched after absent members.

The sergeant-at-arms having appeared with Messrs. Mack and Gilliland.

On motion of Mr. King,
All further proceedings in the call of the House were dispensed with; and
On motion,
The bill was laid upon the table.

Mr. Slater, on leave, introduced,
H. B. 101, Entitled A bill for the relief of James O'Meara.
Read first time.
On motion,
The rules were suspended, and the bill
Read second time, and
Referred to the committee on claims.

Mr. Brown of Jackson, on leave, introduced,
H. B. 102, Entitled A bill relating to the duties of county auditors.
Read first time.

On motion,
The rules were suspended, and the bill
Read second time
On motion,
The rules were further suspended, and the bill
Ordered to a third reading.
Accordingly, the bill was
Read third time.
Question being,
Shall the bill pass?
The yeas and nays were demanded and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Warren and Mr. Speaker—22.

Nays—None.

So the bill passed.

Mr. Brown of Jackson introduced,
H. B. 103, Entitled A bill for the relief of county treasurers.
Read first time.
On motion,
The rules were suspended, and the bill
Read second time, and
Ordered engrossed, and
Read a third time to-morrow.

Mr. Hayden introduced,
H. B. 104, Entitled A bill to amend an act entitled an act to regulate proceedings in actions at law in the supreme and district courts.
Read a first time
On motion,
The rules were suspended, and the bill
Read a second time, and
Referred to Judiciary committee
Also.
H. B. 105, Entitled A bill to provide for paying the expenses of prosecutions against persons belonging to the army of the United States committing offenses within the Territory.
Read first time.

Mr. Hayden also introduced,

H. M. 4, Praying Congress to grant to Monmouth University, two townships of land.

On motion,

The memorial was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

H. B. 63, Entitled A bill for the relief of George E. Cole.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Brown of Linn, Brown of Jackson, Cox, Cranor, Gates, Hughes, Jeffers, Mack, Spear and Woodsides—10.

Nays—Messrs. Able, Allen, Cooley, Collard, Dryer, Gilliland, Hill, Hayden, Johnson, King, Matthews, Rees, Shuck, Slater, Whiteaker, Warren and Mr. Speaker—17.

So the bill was lost.

H. B. 68, Entitled An act to provide for inspecting salmon, and for the appointment of an inspector.

Read third time.

Question being

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Hayden, Hughes, Jeffers, Matthews, Rees, Spear, Slater, Whiteaker and Woodsides—15.

Nays—Messrs. Allen, Collard, Dryer, Gilliland, Gates, Hill, Johnson, Warren and Mr. Speaker—9.

So the bill passed.

H. B. 72, Entitled A bill to locate a Territorial road leading from Oregon City to Portland, in Multnomah county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cooley, Collard, Gilliland, Gates, Hughes, Johnson, Rees, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—17.

Nays—Mr Spear—1.

So the bill passed.

H. B. 78, Entitled A bill to relocate the Portland and Corvallis Territorial road.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gates, Hughes, Johnson, Spear, Slater, Whiteaker, Woodsides Warren and Mr. Speaker—17.

Nays—None.

So the bill passed.

H. B. 76, Entitled A bill to relocate a part of a road from Union Point to Evans' Ferry, in Linn county,

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gates, Hughes, Jeffers, Johnson, Spear, Slater, Whiteaker, Woodsides Warren and Mr. Speaker—18.

Nays—None.

So the bill passed.

H. B. 78, Entitled A bill to relocate the Portland and Corvallis Territorial road.

Read third time.

Question being,

Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gates, Hughes, Jeffers, Johnson, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—19.

Nays—None.

So the bill passed.

H. B. 80, Entitled A bill to grant Absalom Brooks a divorce.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Brown of Jackson, Cox, Cooley, Gates, Jeffers, Johnson, Matthews, Whiteaker and Warren—10.

Nays—Messrs. Allen, Brown of Linn, Cranor, Dryer, Gilliland, Hughes, King, Spear, Slater, Woodsides and Speaker—12.

So the bill was lost.

H. B. 81, Entitled A bill authorizing A. P. Minear, and his associates to erect a wharf at Ranier, Columbia county.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hughes, Jeffers, King, Matthews, Spear, Slater, Whiteaker, Warren and Mr. Speaker—21.

Nays—Mr. Woodsides—1.

So the bill passed.

H. B. 82, A bill to amend an act entitled an act providing for declaring certain water courses navigable.
Read third time.
Question being,
Shall the bill pass?

The yeas and nays were demanded and resulted as follows:

Yeas—Messrs. Allen, Brown of Jackson, Collard, Hill, Johnson, Slater and Warren—7.

Nays—Messrs. Able, Brown of Linn, Cox, Cranor, Cooley, Dryer, Gates, Hughes, Jeffers, King, Mack, Matthews, Rees, Woodsides and Mr. Speaker—15.

So the bill was lost.

On motion of Mr. Dryer,
The House took a recess until seven o'clock.

EVENING SESSION.

On motion of Mr. Dryer,
House resolved itself into

COMMITTEE OF THE WHOLE,

For the consideration of
H. B. 67, Entitled A bill to more effectually provide for the labor of convicts.
And
H. B. 38, Entitled A bill to provide for the protection of slave property.
And, after some time spent therein the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Collard reported,
That having had H. B. 67, under consideration, had directed him to report progress therein, and ask leave to sit again.

On motion,
The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal

of the House of Representatives of Oregon Territory, approved by said House, for Thursday, Jan 28, 1858.

CHAS. B. HAND,
Chief Clerk.

FRIDAY, JANUARY 29, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Hughes, Kirkpatrick and Shuck.

Journal of yesterday, read and approved.

Mr. Spear, from the committee on enrolled bills, reported
H. B's 60 and 15, also,
C. B. 43,
Correctly enrolled.

Mr. Matthews, from the committee on engrossed bills, reported
H. B's 20, 90, 92, 93, 95, 96, 99, and 103,
Correctly engrossed.

Mr. Brown of Linn, from the committee on claims, to whom was referred the account of F. M. Arnold, made report of the same back to the House without recommendation.

On motion,
The report was adopted.

Also, from the same committee to whom was referred the petition of Hiram Smith and Wm. Purvine for relief, made report of the same back to the House, with the recommendation that no further action be had therein.

On motion,
The report was adopted.

Also,
H. B. 101, Entitled A bill for the relief of James O'Meara.
Reported back with the recommendation that no further action be had thereon.

On motion,
The report was laid upon the table.

Mr. Whiteaker, from the committee of conference on the disagreeing votes of the two Houses, on the amendments to the bill.

C. B. 7, A bill to incorporate the trustees of Trinity College,

Submitted the following report, viz.

The committee of conference, to whom was referred the matter of disagreement between the two Houses, upon C. B. 9, respectfully report that they have had the same under consideration The Council committee consent to recede from their vote insisting upon the non-concurrence in the first and third House amendments to said bill, and also concur in said amendments. The House committee consent to recede from the vote insisting upon the second House amendment to said bill, and also recede from the vote creating said amendment, upon condition that said amendment shall be substituted by the following clause, to-wit:

This act may be altered, amended, or repealed, at any time when the interest of said school, or the public good require the same.

And the Council committee consented to substitute.

A. E. WAIT,
E. SHEIL,
Council Com.
W. M. KING,
JOHN WHITEAKER,
House Com.

On motion of Mr. King,
That the report be adopted.
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Dryer, Gilliland, Gates, Hill, Jeffers, King, Mack, Rees, Slater, Whiteaker Warren and Mr Speaker—15.

Nays—Messrs. Brown of Jackson, Cox, Cranor, Cooley, Collard, Hayden, Hughes, Matthews, Spear, and Woodsides—11.

So the report was adopted.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Brown of Jackson, from the committee of conference, to whom

was referred the disagreeing votes of the two Houses on the amendments to the bill, C. B. 6, made report that the committee having had the same under consideration had agreed.

On motion,

The report was adopted.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Whiteaker, on leave, introduced,

H. B. 106, Entitled An act to legalize the acts and deeds of certain persons.

Read first time.

On motion,

The rules were suspended, and the bill

Read second time, and

On motion,

The rules were further suspended, and the bill

Ordered to a third reading now;

Accordingly, the bill was

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker Woodsides, Warren and Mr. Speaker—25.

Nays—Mr. Dryer—1.

So the bill passed.

Mr. Mack, on leave, introduced,

H. B. 107, Entitled An act relating to roads and ferries.

Read a first time.

On motion,

The rules were suspended, and the bill

Read a second time, and

Referred to committee on roads and highways.

Mr. King, on leave, introduced,

H. B. 108, Entitled A bill to create the office of port warden for the city of Portland.

Read first time.
On motion,
The rules were suspended, and the bill
Read second time, and
Referred to the committee on commerce.

H. B. 97, Entitled A bill for the relief of John H. Lewis, Treasurer of Polk county.
Read second time, and
Referred to the committee on claims.

H. B. 98, Entitled A bill to amend an act relating to roads and ferries.
Read second time, and
Referred to the committee on roads and highways.

H. B. 20, Entitled A bill to amend chapter X, of Oregon Statutes, entitled gaming.
Read third time.
Question being,
Shall the bill pass?
The Clerk proceeded to call the roll: when
Mr. Hughes arose, and asked leave to explain.
On motion of Mr. Collard,
The House agreed to discuss the bill.
Pending debate thereon,
The House adjourned.

AFTERNOON SESSION.

The question on the passage of H. B. 20, pending,
Mr. Dryer, from the select committee to whom the bill was referred, reported additional amendments.
On motion,
The report was adopted
Mr. Brown of Jackson moved,
That there be a call of the House.
The roll having been called the following named member failed to answer to his name, viz:

Mr. Woodsides.

Ordered, That the sergeant-at-arms be dispatched after the absent member.

The sergeant-at-arms having appeared with Mr. Woodsides,
Pending the question on the passage of the bill,
On motion of Mr. Brown, of Jackson,
There was another call of the House; when
Mr. Cranor failed to answer to his name.
The sergeant-at-arms having appeared with the absent member,
All further proceedings in the call of the House were dispensed with
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cranor, Cooley, Dryer, Gilliland, Hill, Hayden, Hughes, Jeffers, Johnson, Mack, Matthews, Slater, Warren and Mr. Speaker—18.

Nays—Messrs. Cox, Collard, Gates, King, Rees, Spear, Whiteaker, and Woodsides—8.

So the bill passed.

H. B. 83, Entitled A bill to annex a part of Washington county to Multnomah county.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows

Yeas—Messrs. Brown of Linn, Dryer, Gilliland, King, Mack, Rees, Woodsides and Warren—8

Nays—Messrs. Able, Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gates, Hill, Hughes, Jeffers, Johnson, Matthews, Slater, Whiteaker and Mr. Speaker—16.

So the bill was lost.

H. B. 85, Entitled A bill for the divorce of E. A. Nottage and Priscilla Nottage

Read third time
Question being,
Shall the bill pass?
The yeas and nays were demanded and resulted as follows:

Yeas—Messrs. Brown of Jackson, Cox. Cooley, Collard, Gilliland, Gates, Hughes, Jeffers, Johnson, King, Mack, Matthews, and Whiteaker—13.

Nays—Messrs. Able, Allen, Brown of Linn, Cranor, Dryer, Hill, Rees, Spear, Slater, Woodsides, Warren and Mr. Speaker—12.

So the bill passed.

H. B. 88, Entitled A bill to incorporate the Baptist College at McMinville.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker Woodsides, Warren and Mr. Speaker—26.

Nays—None.

So the bill passed.

Mr Hughes, on leave, introduced,

H. B. 109, Entitled A bill to change the location of the penitentiary from Portland to Oregon or Linn City.

Read first time.

On motion,

That the rules be suspended, and the bill read a second time

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Brown of Linn, Brown of Jackson, Collard, Gilliland, Hughes, Jeffers, Johnson, Mack, Matthews, Spear, Woodsides and Mr. Speaker—12.

Nays—Messrs. Allen, Cox, Cranor, Cooley, Dryer, Gates, Hill, Hayden, King, Rees, Slater, Whiteaker and Warren—13.

So the House refused to suspend the rules.

H. B. 90, Entitled A bill for the relief of Archelaus Jordan.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

Mr. Slater, on leave, introduced,

H. M. 5, Relative to the opening of a road from Corvallis, in Benton county to the Acquina Bay.

On motion,

The memorial was adopted.

H. B. 92, Entitled An act authorizing Asby P. Minear to establish a Ferry across the Columbia river.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Woodsides, Warren and Mr. Speaker—22.

Nays—None.

So the bill passed.

Mr. Dryer, on leave, from the committee on commerce, to whom was referred H. B. 108, made report of the same back to the House, with the recommendation that it do pass.

On motion,

Ordered, That said bill be engrossed, and

Read third time to-morrow.

H. B. 93, Entitled A bill to provide for the erection of a bridge at Moores' Mill, on Tualatin river.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

H. B. 95, Entitled A bill to divorce T. J. Dunten from Marilda Dunten.
Read third time.
Question being
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs Allen, Brown of Jackson, Cooley, Gates, Hughes, Johnson, King, Mack, Matthews, Whiteaker and Warren—11.

Nays—Messrs. Able, Brown of Linn, Cox, Cranor, Collard, Dryer, Hill, Rees, Spear, Woodsides and Mr. Speaker—11.

So the bill was lost.

H. B. 96, Entitled A bill to amend Sec 46, of an act relating to the assessment and collection of taxes, passed Jan. 27, 1854.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays wrre demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Jackson, Hill, Hughes, Johnson, King, Mack, Spear, Whiteaker, Woodsides and Warren—12.

Nays—Messrs. Brown of Linn, Cox, Cranor, Cooley, Collard, Dryer, Gates, Matthews, Rees and Speaker—10.

So the bill passed.

H. B. 99, Entitled A bill to provide for the storage and care of the arms and accoutrements belonging to the Territory.

* * *

Read third time.
Question being,
Shall the bill pass?
Pending debate thereon,
On motion,
The House adjourned.

EVENING SESSION.

The question on the passage of the bill, H. B. 99, pending,
On motion of Mr. Woodsides,
That the bill be laid upon the table;
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Cox, Cooley, Gilliland, Gates, Hayden, Jeffers, Mack, Matthews, Whiteaker, Woodsides and Mr. Speaker—13.

Nays—Messrs. Allen, Collard, Dryer, Hill, Hughes, Johnson, King, Slater and Warren—9.

So the bill was laid upon the table.

The Speaker announced, he had signed the enrolled bills, H. B's 15 and 60.

Ordered, That the Clerk transmit the same to the President of the Council for his signature.

H. B. 103, Entitled A bill for the relief of county treasurers.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Able, Hayden, Hughes and Matthews—4.

Nays—Messrs. Allen, Brown of Linn, Cox, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Jeffers, Johnson, King, Mack, Slater, Whiteaker Woodsides, Warren and Mr. Speaker—18.

So the bill was lost.

C. B. 33, An act to relocate a part of the Territorial road running from Oregon City to Pleasant Hill in Lane county

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded and resulted as follows:

Yeas—None.

Nays—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

So the bill was lost.

C. B. 39, Entitled A bill to incorporate the First Congregational Society at Oregon City.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—24.

Nays—Mr Spear—1.

So the bill passed

C. B. 40, Entitled A bill to vacate a part of the Territorial road leading from Eagle Mills to the Mountain House, in Jackson county Oregon.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

C. B. 42, An act to locate a Territorial road from Salem, in Marion county, to the Eagle Mills, in Polk county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Matthews, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

Mr. Brown of Jackson introduced the following resolution:

H. R. 31,

Resolved, That from and after this date, no member shall speak to any question more than five minutes, without leave of the House.

On motion of Mr. Collard,

It was laid upon the table.

On motion of Mr. Dryer,

That H. B. 99 be taken from the table;

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Collard, Dryer, Gilliland, Hill, Hughes, Johnson, King, Spear, Slater and Warren—11.

Nays—Messrs. Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Gates, Hayden, Jeffers, Mack, Matthews, Whiteaker, Woodsides and Mr. Speaker—13.

So the House refused to take the bill from the table.

Messages from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Jan. 28, 1858.

MR. SPEAKER:

The President of the Council having signed the enrolled bills of the

House, No's 24, 30, 37, 42, 43, 46, 51, 53, 54 and 56, I am instructed by him to return the same to you.

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Jan. 26, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council have passed a bill of the following title:

C. B. 44, A bill for the relief of School District, No. 4, in Clatsop county.

Also, a memorial,

C. M. 3, Asking Congress for a grant of lands for a railroad,

In which the concurrence of the House is requested.

They have also passed

H. B. 66, Entitled A bill to authorize Marion county to assist in the re-construction of La Bish bridge.

The President of the Council having signed H. M No 1, and H. B's 34, 35, 36, 39, 44, 48 and 49, they are herewith transmitted.

The President of the Council has signed the following bills:

C. B. 21, Entitled An act to establish West Union Institute.

C. B. 31, A bill to grant Harriet Mulligan a divorce.

Also, the following memorial:

C. M. 1, Relative to custom-house fortifications and marine hospital.

The following bills having been enrolled, I am instructed to transmit them to you, requesting your signature:

C. B's 19, 28, 32, 34, 35, 36, 37, 38 and 41,

Also, C. M. 2.

THOS. B. MICOU,
Clerk of the Council.

Accordingly, C. B. 44 was
Read first time.
On motion of Mr. Mack,
The rules were suspended, and the bill
Read second time, and

On motion of Mr. Johnson,
The rules were further suspended, and the bill
Ordered to a third reading now;
Accordingly, the bill was
Read third time.
Question being,
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gates, Hill, Hayden, Hughes, Jeffers, Johnson, King, Mack, Spear, Slater, Whiteaker Woodsides, Warren and Mr. Speaker—21.

Nays—None

So the bill passed.

Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Jan. 28, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council have passed the following bill:

C. B. 48, To provide for the punishment of larceny committed by converting bailed property.

Also, the following memorial:

C. M. No. 4, To Congress, for the admission of Oregon into the federal union as a State.

In which the concurrence of the House is requested.

They have also passed bills of the House of the following titles:

H. B. 13, Entitled "An act to amend an act relating to parents, children, wards and to masters, apprentices, and servants," passed December 15, 1853.

With an amendment accompanying, in which the concurrence of the House is requested.

H. B. 74, Entitled A bill to divorce James M. and Christiana Carroll.

H. B. 84, Entitled An act to divorce William Gearheart, from Matilda Gearhart.

The Council have agreed to the report of the committee of conference

on the disagreeing votes of the two Houses, on the bill of the Council:

C. B. 7, To incorporate the Trustees of Trinity School.

And agreed to the amendment reported by said committee.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B. 48 was
Read a first time.

On motion,
The House concurred in the amendment of the Council to H. B. 13.
Ordered, That the Clerk acquaint the Council therewith.

C. M. 4, To Congress, for the admission of Oregon into the Federal Union, as a State.

Read and adopted by the following vote:

Yeas—Messrs. Able, Brown of Jackson, Cox, Craner, Cooley, Collard, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Mathews, Spear, Slater, Woodsides, Warren and Mr Speaker—20.

Nays—Messrs Allen and Dryer—2.

Message from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Jan. 27, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council have passed the bill:

H. B. 55, Entitled A bill to locate a Territorial road from Ramsey's Mill, in Yamhill county, to Portland, in Multnomah county.

And have concurred in the memorials:

H. M. 2, Relative to Indian Superintendencies; and

H. M. 3, Concerning an overland communication with the Atlantic States.

Also, the joint resolution of the House, relative to extending surveys of the United States over lands east of the Cascade mountains.

As instructed, I herewith return the bill:

H. B. 57, Entitled a bill for the relief of Wm. M. King.

The return of which was requested by the House.

THOS. B. MICOU,
Chief Clerk.

On motion of Mr. Spear,
That the House reconsider the vote on the final passage of H. B. 57,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Dryer, Gates, Hayden, Hughes, Matthews, Spear, Whiteaker, Woodsides and Mr. Speaker—16.

Nays—Messrs. Allen, Collard, Gilliland, Hill, Mack, Slater and Warren—7.

So the vote was reconsidered

On motion of Mr. Dryer,
The bill was laid upon the table.

Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Jan. 28, 1858.

MR. SPEAKER:

The Council has passed a bill of the House of the following title:
H. B. 86, Entitled A bill to divorce Thomson Ward, and Mary A. Ward.
With an amendment to the title thereof, in which I am directed by the President to ask the concurrence of the House.
The President of the Council has signed the following bills:
H. B's 59, 62, 64, also,
H. J. R. 18,
And I am directed to return them to you.
The President has also signed the following bills:
C. B's 19, 25, 28, 32, 34, 35, 36, 37, 38, 41,
And C. M. 2.

THOS. B. MICOU,
Chief Clerk.

On motion,
The House concurred in the amendment of the Council to H. B. 86.

COUNCIL CHAMBER, Jan. 25, 1858.

MR. SPEAKER.

I am instructed by the President of the Council to inform you that the Council has passed the following bill:

C. B. 46, A bill to make Clackamas county a part of the second judicial district.

In which the concurrence of the House is requested.

They have concurred in

H. J. R. 4, Relative to the postal arrangements at Astoria, in Clatsop county.

THOS. B. MIGOU,
Chief Clerk

Accordingly, C. B. 46 was
Read a first time.
On motion,
The rules were suspended, and the bill
Read a second time, and
Referred to Judiciary committee

On motion,
The House adjourned

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Friday, Jan. 29, 1858.

CHAS. B. HAND,
Chief Clerk.

SATURDAY, JANUARY 30, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Hughes, Johnson, Kirkpatrick, Shuck and Woodsides.

Journal of yesterday, read and approved.

Mr. Matthews, from the committee on engrossed bills, reported H. B. 108, correctly engrossed.

Mr. Cox, from the committee on roads and highways, to whom was referred,

H. B. 107, Entitled An act relating to roads and ferries.

Made report of the same back to the House, with the recommendation that it do pass

On motion,

The report was adopted.

On motion,

The rules were suspended, and the bill

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—25.

Nays—None.

So the bill passed.

Mr. Cox, from the committee on roads and highways, to whom was referred,

H. B. 98, Entitled A bill to amend an act relating to roads and ferries.

Made report of the same back to the House with amendments recommending it passage.

On motion,

The report was adopted.

Ordered, That said bill be engrossed, and

Read third time on Monday.

Mr. Brown of Linn, from the committee on claims, to whom was referred,

H. B. 97, Entitled A bill for the relief of John H. Lewis, Treasurer of Polk county.

Made report of the same back to the House, without amendment recommending its passage.

Also,

H. B. 91, Entitled A bill for the relief of John Force, H. M. Waller and R. C. Geer, late committee for the erection of public buildings.

Reported without amendment, recommending its passage.

Ordered, That said bills be engrossed and
Read third time on Monday.

Mr. Cranor, from the committee on judiciary to whom was referred C. B. 46, Entitled A bill to make Clackamas county a part of the second judicial district.

Made report of the same back to the House, with the recommendation that it do pass.

On motion,

The report was adopted.

On motion of Mr. Slater,

The rules were suspended, and the bill

Read third time.

Question being

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides and Warren—24.

Nays—Mr. Speaker—1.

So the bill passed.

Mr. Brown of Jackson, from the committee on ways and means, to whom was referred the supplementary report of the Territorial Auditor made report by bill:

H. B. 110, Entitled A bill for the relief of certain creditors of the Territory.

Read first time.

On motion of Mr. Brown of Jackson,

That the rules be suspended, and the bill read a second time.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Dryer, Gates, Hayden, Hughes, Jeffers, Mack, Matthews, Spear, Slater, Whiteaker, Woodsides and Warren—18.

Nays—Messrs. Allen, Collard, Gilliland, Hill, Rees and Mr. Speaker —6.

So the bill was ordered to a second reading.

Accordingly the bill was

Read second time, and

Referred to committee on claims.

Mr. Able, on leave, introduced,

H. B. 111, Entitled A bill for the relief of Wm. L. White, of Marion county.

Read first time.

H. B. 105, Entitled A bill to provide for paying the expenses of prosecutions against persons belonging to the army of the United States committing offenses within the Territory.

Read second time, and

Referred to judiciary committee.

H. B. 109, Entitled A bill to change the location of the penitentiary from Portland to Oregon or Linn City.

Read second time.

On motion of Mr. Dryer,

Laid on the table.

C. B. 48, Entitled A bill for the punishment of larceny committed, by converting bailed property.

On motion,

Referred to the judiciary committee.

H. B. 108, Entitled A bill to create the office of port warden for the city of Portland.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—24.

Nays—None.

So the bill passed.

On motion of Mr. Brown of Linn,

That H. B. 101 be taken from the table and referred to a select committee of three.

Adopted.

Speaker appointed,

Messrs. Slater, Brown of Jackson and Jeffers, said committee.

On motion of Mr. Cox,

That H. B. 57, be taken from the table;

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Gates, Hayden, Hughes, Matthews, Spear, Woodsides, and Mr. Speaker—13.

Nays—Messrs. Allen, Collard, Dryer, Gilliland, Hill, Jeffers, Mack, Sees, Slater Whiteaker, and Warren—11.

So the bill was taken from the table.

On motion,

The House adjourned

AFTERNOON SESSION

Message from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Jan. 29, 1858.

MR. SPEAKER:

The Council has passed bills of the following titles:

C. B. 45, A bill to incorporate the Willamette falls railroad company.

C. B. 49, An act to locate a Territorial road from the town of Monroe in Benton county to Eugene City in Lane county.

In which I am instructed by the President of the Council to ask the concurrence of the House

The Council have also passed bills of the following titles:

H. B. 78, Entitled A bill to relocate the Portland and Corvallis Territorial road.

H. B. 79, Entitled A bill to change the name of George, James and Jane Stoley.

H. B. 81, Entitled A bill authorizing A. P. Minear, and his associates to erect a wharf at Ranier, Columbia county.

H. B. 94, Entitled A bill to divorce Louisa Pretz from Frederick Pretz.

H. B. 102, Entitled A bill relating to the duties of county auditors.

The have also passed the bill:

H. B. 6, Entitled A bill to incorporate the town of Salem.

With two amendments thereto, in which they request the concurrence of the House.

The Council concur in the resolution:

H. J. R. 17, Relative to printing the Constitution of the State of Oregon.

The President of the Council directs me to transmit to you the enrolled bill:

C. B. 43, An act to amend an act passed January 18, 1856, to incorporate the town of Astoria.

And request your signature thereto.

The President having signed the joint memorial No. 1, in behalf of Mrs. Mary A. Harris, it is herewith returned to the House in which it originated.

The Council refuses to recede from their amendments, disagreed to by the House, to

H. B. 58, Entitled An act to amend an act for the establishing of a pilotage on the Columbia and Willamette rivers, passed Sept. 19, 1849.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B. 45, was
Read first time.
On motion,
The rules were suspended, and the bill
Read second time, and
Referred to committee on corporations.

C. B. 49, Entitled An act to locate a Territorial road from the town of Monroe, in Benton county, to Eugene City, in Lane county.

Read first time.

On motion,

The rules were suspended, and the bill

Read second time; and

Referred to the committee on roads and highways

On motion of Mr. Collard,

That the House concur in the amendments of the Council to the bill,

H. B. 6, Entitled An act to incorporate the City of Salem.

On motion of Mr. Gilliland,

That there be a call of the House.

The roll having been called the following named members failed to answer to their name, viz:

Messrs. Johnson, Shuck and Whiteaker.

On motion,

All further proceedings in the call of the House were dispensed with.

The question being on the motion of Mr. Collard,

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Collard, Dryer, Gilliland, Hill, Jeffers, King, Mack, Rees, Spear, Slater, Warren and Mr. Speaker—13.

Nays—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Gates, Hayden, Hughes, Matthews, and Woodsides—11.

So the House concurred.

On motion of Mr. Gates,

That the House insist upon their disagreement to the amendment of the Council, in the nature of a substitute, to H. B. 58.

Adopted.

On motion of Mr. Dryer,

That the House ask a committee of Conference upon the same.

Adopted.

Speaker appointed

Messrs. Dryer and Warren, the committee on the part of the House.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Gates,

House resolved itself into

COMMITTEE OF THE WHOLE,

For the consideration of

H. B. 100, Entitled A bill to amend an act relating to the assessment and collection of taxes.

And, after some time spent therein the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Brown of Linn reported,

That the committee having, according to order, had the bill, H. B. 100, under consideration, had directed him to report the same back with amendments, recommending its passage.

Also, having had

H. B. 67, Entitled A bill to more effectually provide for the labor of convicts.

Under consideration, I am directed to report the same back to the House with the recommendation that it do pass.

On motion,

The report was adopted.

Ordered, That said bills be engrossed, and

Read third time on Monday.

Message from the Council, per their Clerk, Mr. Micou.

COUNCIL CHAMBER, Jan. 30, 1858.

MR. SPEAKER:

I am instructed by the President of the Council to inform you that the Council has passed bills of the following titles:

H. B. 72, Entitled A bill to locate a Territorial road leading from Oregon City to Portland, in Multnomah county.

H. B. 75, Entitled A bill to relocate a part of road leading from Doaks Ferry to Corvallis, in Benton county.

H. B. 76, Entitled A bill to relocate a part of a road from Union Point to Evans' Ferry, in Linn county,

H. B. 85, Entitled A bill for the divorce of E. A. Nottage and Priscilla Nottage.

H. B. 88, Entitled A bill to incorporate the Baptist College at McMinville.

All without amendment.

The Council has also passed the following bills:

H. B. 68, Entitled An act to provide for inspecting salmon, and for the appointment of an inspector.

H. B. 73, Entitled A bill for the relief of Wm. M. King and others.

H. B. 77, Entitled A bill to amend an act entitled an act to provide for the sale of common school lands of the Territory of Oregon.

With an amendment to each of said bills; in which I am instructed to ask the concurrence of the House.

THOS. B. MICOU,
Clerk of the Council

The Speaker announced he had signed C. B. 43.

On motion of Mr. Jeffers,
The House concurred in the amendment of the Council to H. B. 68.
Ordered, That the Clerk acquaint the Council therewith.

On motion,
The House concurred in the amendment of the Council to H. B. 73.
Ordered, That the Clerk acquaint the Council therewith.

On motion,
The House concurred in the amendment of the Council to H. B. 77.
Ordered, That the Clerk acquaint the Council therewith.

On motion,
The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Saturday, Jan. 30, 1858.

CHAS. B. HAND,
Chief Clerk.

MONDAY, FEBRUARY 1, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Cooley, Hill, Hayden, Johnson, Kirkpatrick, Mack, Shuck and Woodsides.

Journal of Saturday, read and approved.

Mr. Matthews, from the committee on engrossed bills, reported
H. B's 67, 91, 97, 98 and 100,
Correctly engrossed.

Mr. Brown of Linn, from the committee on claims, to whom was referred H. B. 110, made report of the same back to the House, with the recommendation that it do pass.

On motion,
The report was adopted.
Ordered, That said bill be engrossed, and
Read third time to-morrow.

Mr. King, from the committee to whom was referred H. B. 40, made report of the same back to the House without recommendation.

On motion,
The report was adopted.
On motion of Mr. Collard,
That Sec. 1 of said bill be amended to read "Sec. 30, title 4, and Sec 3 title 5."
Adopted.
Ordered, That said bill be engrossed, and
Read third time to-morrow.

Mr. Slater, from the committee to whom was referred H. B. 101, submitted the following report, viz:

Your committee to whom was referred the claim of Jas O'Meara, for advertising in "Democratic Standard," beg leave to report that they have not been able to obtain full files of the Standard. They find that the Convention returns have been published twice in the Standard,

occupying each time about five squares. And that a notice of the Pilot Commissioners has been inserted in No. 13, Vol. 3, occupying about two squares. The rates of advertising are $3 per month per square.

On motion,

The report and bill were laid upon the table.

Mr. Gates moved,

To reconsider the vote upon the final passage of H. B. 103.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Jackson, Gates, Hayden, Hughes, Matthews and Rees—8.

Nays—Messrs Brown of Linn, Cranor, Collard, Dryer, Gilliland, Hill, Jeffers, King, Slater, Whiteaker, Warren and Mr. Speaker—12.

So the House refused to reconsider the vote.

Mr. Spear, on leave, from the committee on enrolled bills, reported,

H. B's 6, 88, 75, 74 and 55, also H. M. 3,

Correctly enrolled.

Mr. Allen introduced the following resolution:

H. J. R. 20,

Resolved, by the House, the Council concurring, That the Territorial Auditor be, and he is hereby authorized and required to audit the claim of Yamhill county, or give said county a certificate certifying that said county is entitled to the amount of Territorial revenue assessed on real estate in 1855, which revenue said county was allowed to retain by an act entitled an act for the relief of Clackamas, Washington, Columbia, Linn, Multnomah and Yamhill counties.

On motion of Mr. Cranor,

The resolution was laid upon the table

On motion of Mr Hayden,

The vote on the final passage of H. B. 12, was reconsidered

Mr. Collard ofiered the following amendment to Sec. 1

"Strike out the word "five," and insert "three," and add after, the word "year," as a poll tax.

The amendment was adopted.

Mr. Dryer moved,

That the bill be indefinitely postponed

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Brown of Jackson, Dryer and Gates—3.

Nays—Messrs. Allen, Cox, Collard, Gilliland, Hill, Hayden, Hughes, Jeffers, King, Mack, Rees, Spear, Slater, Woodsides, Warren and Mr. Speaker—16.

So the bill was not indefinitely postponed.

Mr. Mack moved,
To amend the bill by striking out Sec. 8.
Adopted.

H. B. 111, Entitled A bill for the relief of Wm. L. White, of Marion county.
Read second time, and
Referred to committee on claims.

H. B. 12, Entitled An act to amend the road law.
Read third time.
Question being
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Collard, Gilliland, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Slater, Whiteaker, Woodsides and Mr. Speaker—19.

Nays—Messrs. Cranor, Dryer, Gates, Spear, and Warren—5.

So the bill passed.

H. B. 67, Entitled A bill to more effectually provide for the labor of convicts.
Read third time.
Question being,
Shall the bill pass?
On motion,
The House adjourned.

AFTERNOON SESSION.

The question on the final passage of H. B. 67, pending,

Mr. Gates moved,

To amend the tenth section, by adding the words, "for the use of the Territory"

Adopted.

Mr. Hill moved,

To amend Sec. 9, by adding, "provided, the parties shall have the right to appeal to the district court."

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Cox, Cranor, Collard, Dryer, Gilliland, Hill, Hayden, Hughes, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides and Warren—17.

Nays—Messrs. Brown of Linn, Gates, King and Mr. Speaker—4.

So the amendment was adopted.

On motion of Mr. Cranor,

That there be a call of the House;

The roll having been called, the following named members failed to answer to their names:

Messrs. Brown of Jackson, Cooley, Mack, Jeffers, Johnson and Shuck.

Ordered, That the sergeant-at-arms be dispatched after the absent members.

On motion of Mr. Cox,

All further proceedings in the call of the House were dispensed with.

The question being upon the passage of the bill,

The yeas and nays were demanded and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Cox, Craner, Collard, Gates, Hill, Hayden, Jeffers, King, Mathews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—19.

Nays—Messrs. Brown of Jackson, Dryer, Gilliland and Hughes—4.

So the bill passed.

The Speaker announced he had signed the bills,
H. B's 6, 88, 75, 74 and 55,
Also, H. M. 3.
Ordered, That the Clerk transmit the same to the President of the Council for his signature.

H. B. 91, Entitled A bill for the relief of John Force, H. M. Waller and R. C. Geer, late committee for the erection of public buildings.
Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Hayden, Woodsides and Mr. Speaker—3.

Nays—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, King, Matthews, Rees, Spear, Slater, Whiteaker and Warren—20.

So the bill was lost.

By consent, Mr. Cranor, from the judiciary committee, to whom was referred C. B. 48, made report of the same back to the House, with the recommendation that it do pass.
Also, H. B. 105, with the same recommendation.
On motion,
The report was adopted.
Ordered, That said bill be engrossed, and
Read a third time to-morrow.

Mr. Allen, from the committee on corporations, to whom was referred C. B. 45, made report of the same back to the House, recommending its passage.

Mr. Cranor, from the judiciary committee, to whom was referred H. B. 104, made report of the same back to the House, stating that in their opinion such alteration in the Statute as is proposed by said bill, would not at this time be beneficial.
On motion,
The report was adopted.
Ordered, That said bill be engrossed, and
Read a third time to-morrow.

From the same committee, to whom was referred that portion of the Territorial Auditor's report, relative to Yamhill county, made report by bill—in blank amount.

H. B. 112, Entitled A bill for the relief of Yamhill county.

Read a first time.

On motion,

The rules were suspended, and the bill

Read a second time, and

Referred to select committee of three.

Speaker appointed,

Messrs. Allen, Brown of Linn and Collard, said committee.

H. B. 97, Entitled A bill for the relief of John H Lewis, Treasurer of Polk county.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Gilliland, Hill, Hayden, Hughes, Jeffers, Matthews, Woodsides and Speaker—13.

Nays—Messrs. Able, Collard, Dryer, Gates, King, Mack, Spear, Slater, Whiteaker and Warren—10.

So the bill passed.

H. B. 98, Entitled A bill to amend an act relating to roads and ferries

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Dryer, Gilliland, Hill, Hughes, Jeffers, King, Mack, Matthews, Slater, Whiteaker, Woodsides, and Mr. Speaker—19.

Nays—Messrs. Gates, Spear and Warren—3.

So the bill passed.

H. B. 100, Entitled, A bill to amend an act entitled an act relating to the assessment and collection of taxes.

Read third time.

Question being,

Shall the bill pass?

On motion of Mr. Gates,

The bill was

Referred to a select committee of three.

Speaker appointed,

Messrs. Gates, Spear and Whiteaker, said committee.

C. B. 48, To provide for the punishment of larceny committed by converting bailed property.

Read third time

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Gilliland, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Woodsides and Mr. Speaker—18.

Nays—Messrs. Collard, Dryer, Slater, Whiteaker and Warren—5.

So the bill passed.

By consent, Mr. Gates, from the select committee to whom was referred H. B. 100, reported the same back, with an amendment.

On motion,

The report was adopted.

The question being on the final passage of said bill,

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

C. B. 45, A bill to incorporate the Willamette falls railroad company.

Read third time.

Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Slater, Whiteaker, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

On motion of Mr. Matthews,
H. B. 89, Entitled A bill for the relief of Lawrence F. Jordan.
Was taken from the table.
Question being,
Shall the bill pass?
Mr. Cranor moved,
That there be a call of the House.
The roll having been called, the following named members failed to to answer to their names:

Messrs Able and Woodsides.

The said gentlemen having appeared,
On motion of Mr. Hayden,
All further proceedings in the call of the House were dispensed with.
The question being on the passage of the bill,
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Cox, Gilliland, Hill, King, King, Mack, Matthews, Rees, Slater, Whiteaker, Warren and Mr. Speaker—13.

Nays—Messrs Allen, Brown of Jackson, Cranor, Collard, Dryer, Gates, Hayden, Hughes, Jeffers, Spear and Woodsides—11.

So the bill passed.

On motion of Mr. Gates,
That when the House adjourn, it do adjourn until 7 o'clock this evening
Adopted.
Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Jan. 30, 1858.

MR. SPEAKER:

I am directed by the President to inform you that the Council has concurred in

H. M. 5, Relating to a military road between Corvallis and Aquina Bay;

And that the President has signed H. B's, 15 and 60, which are herewith returned.

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Feb. 1, 1858.

MR. SPEAKER:

I am instructed by the President to inform you that the Council has passed bills of the following titles:

H. B. 20, Entitled A bill to amend chapter X, of Oregon Statutes, entitled gaming.

H. B. 106, Entitled An act to legalize the acts and deeds of certain persons.

Which bills are herewith returned to the House.

The Council has adopted

C. M. 5, In relation to the establishing of certain mail routes;

In which I am directed to ask the concurrence of the House.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. M. 5, was read, and
On motion,
Adopted.

COUNCIL CHAMBER, Feb. 1, 1858.

MR. SPEAKER:

The Council have passed a bill of the following title:

C. B. 50, A bill to authorize the University Land Commissioner to sell to Waymire and Tillotson eighty acres of land.

In which I am directed to ask the concurrence of the House.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C. B. 50 was
Read first time.
On motion of Mr Hayden,
That the rules be suspended, and the bill read second time;
Adopted.

On motion,
The House adjourned.

EVENING SESSION.

C. B. 50,
Read second time, and
On motion,
Laid upon the table.

On motion of Mr. Gates,
That the vote on the adoption of C. M. 5 be reconsidered.
Adopted.
Whereupon, Mr. Gates offered an amendment.
On motion,
The amendment was adopted.
The question now being on the adoption of the memorial as amended,
On motion,
The memorial was adopted.
Ordered, That the Clerk request the concurrence of the Council in said amendment.

On motion of Mr. Collard,
House resolved itself into

COMMITTEE OF THE WHOLE,

And, after some time spent therein the Speaker resumed the Chair.

HOUSE OF REPRESENTATIVES.

Mr. Gates reported,

That the committee having had

H. B. 38, Entitled A bill to provide for the protection of slave property.

Under consideration, had directed him to report the same back to the House, with the recommendation that it do not pass.

On motion,

That the report be adopted.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Cox, Cranor, Collard, Dryer, Gates, Hayden, Jeffers, King, Matthews, Rees, Woodsides, Warren and Mr. Speaker—15.

Nays—Messrs. Allen, Brown of Jackson, Cooley, Hill, Hughes, Slater and Whiteaker—7.

So the report was adopted.

On motion,

The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Monday, Feb. 1, 1858.

CHAS. B. HAND,
Chief Clerk.

TUESDAY, FEBRUARY 2, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Hayden, Johnson, Kirkpatrick, Mack, Shuck and Slater.

Journal of yesterday, read and approved.

Mr. Spear, from the committee on enrolled bills, reported
C. B's 7, 39, 40, 42, 44, and 47,
Also,
H. B's 84, 66, and 13,
Correctly enrolled.

Mr. Cox, from the committee on roads and highways, to whom was referred C. B. 49, made report of the same back to the House, with two amendments, recommending its passage

On motion,
The report was adopted.

Mr. Brown of Linn, from the committee on claims, to whom was referred H. B. 111, made report of the same back to the House without recommendation.

On motion,
The report was adopted.
Ordered, That said bill be engrossed, and
Read a third time to-morrow.

Mr. Matthews, from the committee on engrossed bills, reported
H. B's 40, 104, 105 and 110,
Correctly engrossed

Mr. Allen, from select committee to whom was referred
H. B 112, A bill for the relief of Yamhill county.
Reported that, having had the same under consideration, and not having sufficient time for a thorough investigation of the subject, they report the same back to the House, with the recommendation that no further action be had on the subject during the present session of the Legislative Assembly.

On motion of Mr. Spear,

The whole concern was laid upon the table.

H. B. 40, Entitled An act to amend an act relating to the assessment and collection of taxes.

Read third time.

Question being

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Hill, Hayden, Jeffers, Mack, Matthews, Rees, Spear, Whiteaker, and Warren—16.

Nays—Messrs Allen, Brown of Linn, Brown of Jackson, Gates, Hughes, King, Woodsides and Mr. Speaker—8.

So the bill passed.

H. B. 104, Entitled A bill to amend an act entitled an act to regulate proceedings in actions at law in the supreme and district courts.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded and resulted as follows:

Yeas—Messrs. Brown of Jackson, Cox, Collard, Gilliland, Hill, Hayden, Hughes, Jeffers, Mack, Matthews and Spear—11.

Nays—Messrs. Able, Allen, Brown of Linn, Cranor, Cooley, Dryer, Gates, King, Rees, Whiteaker, Woodsides, Warren and Mr. Speaker—13.

So the bill was lost.

Mr. Dryer, from the committee of conference, to whom was referred the amendments of the Council to H. B. 58, submitted the following report, viz:

The committee of conference appointed by both Houses of the Legislative Assembly, on a bill,

H. B. 58, Entitled An act to amend an act for the establishing of a pilotage on the Columbia and Willamette rivers, passed Sept. 19, 1849.

Which the House refused to concur with the Council amendments,

have agreed to a concurrence of the amendments of Council, and recommend the passage of the following resolution:

H. J. R. 21,

Resolved, That the two Houses of the Legislative Assembly of the Territory of Oregon meet in joint convention on Wednesday February 3d, at two o'clock, P. M., and proceed to elect one pilot commissioner.

A. E WAIT,
E. SHIEL,
Council Com.
T. J. DRYER,
F. M. WARREN,
House Com.

On motion,
The report and resolution were adopted.
Ordered, That the Clerk request the concurrence of the Council therein.

The Speaker announced he had signed the enrolled bills,
H. B's 66, 84 and 13.
Ordered, That the Clerk transmit the same to the President of the Council for his signature.

On motion of Mr. Collard,
H. B. 68, was put upon it final passage.
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

On motion,
House adjourned.

AFTERNOON SESSION.

Mr. Cranor, on leave, introduced,

H. B. 113, Entitled A bill to authorize the Territorial Auditor to commence suit against Yamhill county.

Read first time.

On motion,

The rules were suspended, and the bill

Read second time.

On motion of Mr. Cranor,

That there be a call of the House;

The roll having been called, the following named members failed to answer to their names:

Messrs. Spear, Johnson and Cox.

On motion,

All further proceedings in the call of the House were dispensed with.

On motion,

That the rules be suspended, and the bill be read third time.

Adopted.

Accordingly, the bill was

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Woodsides and Mr. Speaker—20.

Nays—Messrs. Allen, Hill, Whiteaker and Warren—4.

So the bill passed.

Speaker appointed

Mr. H. M. Brown, and Mr. Jacob Woodsides, the commission on the part of the House, as contemplated by

H. J. R. 5, Relative to the appointment of a commission to take measures for the re-interment of Hon. Samuel R. Thurston.

H. B. 105, Entitled A bill to provide for paying the expenses of prosecutions against persons belonging to the army of the United States committing offenses within the Territory.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Cox, Cranor, Cooley, Collard, Gates, Hill, Hayden, Hughes, Jeffers, King, Matthews, Rees, Spear, Woodsides and Mr. Speaker—17.

Nays—Messrs. Brown of Linn, Brown of Jackson, Dryer, Gilliland Mack, Whiteaker and Warren—7.

So the bill passed.

H B. 110, Entitled A bill for the relief of certain creditors of the Territory.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—22.

Nays—Messrs. Allen and Gates—2.

So the bill passed.

C. B. 49, Entitled An act to locate a Territorial road from the town of Monroe, in Benton county, to Eugene City, in Lane county.

Read third time

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox,

Cranor, Cooley, Collard, Dryer, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Whiteaker, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

Message from the Council, per their Clerk, Mr. Micou.

COUNCIL CHAMBER, Feb. 2, 1858.

MR. SPEAKER:

The Council has passed a bill of the following title:

C. B. 9, A bill to amend an act entitled an act relating to stallions, passed Jan. 10, 1854.

In which I am directed to ask the concurrence of the House.
The Council also concur in the amendments of the House to
C. M. 5, In relation to mail routes.
Also, concur in
H. M. 4, In relation to the education of orphans.
And have passed House bills of the following titles:

H. B. 93, Entitled A bill to provide for the erection of a bridge at Moores' Mill, on Tualatin river.

With sundry amendments, in which they request the concurrence of the House, and

H. B. 108, Entitled A bill to create the office of port warden for the city of Portland.

Without amendment, and they are herewith transmitted.

THOS. B. MICOU,
Clerk of the Council.

Accordingly, C. B. 9, was
Read first time.
On motion,
The rules were suspended, and the bill
Read second time, and
Referred to committee on commerce.

On motion of Mr. Dryer,
The House concurred in the amendments of the Council to H. B. 93.

Message from the Council, by their Clerk, Mr. Micou:

COUNCIL CHAMBER, Feb. 2, 1858.

MR. SPEAKER:

I am directed by the President of the Council to transmit to you
C. B's 7, 39, 40, 42, 44, and 47,
Which have been enrolled, and to request your signature thereto.

THOS. B. MICOU,
Chief Clerk.

Mr. Whitaker introduced,
H. J. R. 22, Relative to an appropriation for paying postage on public documents,
And after some debate thereon, withdrew the same.

The Speaker announced, he had signed
C. B's 7, 39, 40, 42, 44 and 47,

Mr. Collard, on leave, introduced,
H. B. 114, Entitled An act for the relief of T. J. Dryer.
Read a first time,
On motion,
The rules were suspended, and the bill
Read a second time, and
Referred to committee on claims.

Mr. Gates, on leave, introduced,
H. M. 5, Relative to spoliation claims,
On motion,
The memorial was adopted.

Message from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Feb. 2, 1858.

MR. SPEAKER:

The Council has passed a bill of the following title:

C. B. 57, For the relief of Asahel Bush.

And I am instructed by the President to transmit the same to you, and request the concurrence of the House therein.

THOS. B. MICOU,
Chief Clerk.

Accordingly, C B. 51, was
Read a first time.
On motion,
The rules were suspended, and the bill
Read second time; and
Referred to the committee on claims.

On motion of Mr Hayden,
C. B. 50, A bill to authorize the University Land Commissioner to sell to Waymire and Tillotson eighty acres of land.
Was taken from the table, and
Read third time.
Question being,
Shall the bill pass?
On motion of Mr. Brown of Jackson,
That there be a call of the House.
The roll having been called, the following named members failed to to answer to their names:

Messrs. Gilliland, Hill, Spear and Slater.

On motion of Mr. Dryer,
All further proceedings in the call of the House were dispensed with.
The question being on the passage of the bill,
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Cox, Hayden, King, Matthews, Recs, Woodsides and Mr. Speaker—9.

Nays—Messrs. Brown of Jackson, Cooley, Collard, Dryer, Gates, Hill, Hughes, Jeffers, Mack, Spear, Whiteaker and Warren—12.

So the bill was lost.

On motion,
The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal

of the House of Representatives of Oregon Territory, approved by said House, for Tuesday, Feb. 2, 1858.

CHAS. B. HAND,
Chief Clerk.

WEDNESDAY, FEBRUARY 3, 1858.

House met pursuant to adjournment.

Absent—Messrs. Belknap, Brown of Jackson, Johnson, Kirkpatrick, Mack and Slater.

Journal of yesterday, read and approved.

Mr. Matthews, from the committee on engrossed bills reported H. B. 111, correctly engrossed.

Mr. Brown of Linn, from the committee on claims, to whom was referred C B. 51, made report of the same back to the House, without amendment, and with the recommendation that it do pass. Also,

H. B. 114, with amendments, recommending its passage.

On motion,

The report was adopted.

On motion,

The rules were suspended, and,

H. B. 114, Entitled A bill for the relief of Thomas J. Dryer.

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Whiteaker, Woodsides, Warren and Mr. Speaker—23.

Nays—None.

So the bill passed.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Spear, from the joint committee on enrolled bills, reported

C. M. 4,

H. M's 2, 4 and 5,

H. B's 86, 20, 106, 78, 102, 94, 72, 81, 79, 85, 73, 68, 76, 77, 58, 108, and 93.

Also,

C. B's 46, 48 and 45,

Correctly enrolled.

Mr. Dryer, from the committee on commerce, to whom was referred C. B. 9, Entitled An act to amend an act entitled an act relating to stallions, passed January, 10, 1854.

Made report of the same back to the House, with the recommendation that it do pass.

On motion,

The report was adopted.

On motion of Mr. Cranor,

The rules were suspended, and the bill was ordered to a third reading.

Accordingly, the bill was

Read third time.

Question being,

Shall the bill pass?

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Collard, Dryer, Gilliland, Gates, Hill, Hayden, Hughes, Jeffers, King, Mack, Matthews, Rees, Spear, Woodsides Warren and Mr. Speaker—23.

Nays—Mr. Whiteaker—1.

So the bill passed.

Ordered, That the Clerk acquaint the Council therewith.

On motion of Mr. Hill,

The vote on the passage of C. B. 50 was reconsidered; and

On motion of Mr. Brown of Jackson,

The bill was referred to a select committee with instructions to amend by inserting as follows:

"The commissioner is hereby authorized, to sell the aforesaid tract of land to the highest bidder; *Provided*, That the sale shall not be for less than two dollars per acre"

Speaker appointed,
Messrs. Brown of Jackson, Hayden and Cranor, said committee.

H. B 111, Entitled A bill for the relief of Wm L. White, of Marion county.

Read third time.
Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Allen, Brown of Jackson, Cooley, Dryer, Hughes, Jeffers, Mack, Matthews, Rees, Spear and Woodsides—12.

Nays—Messrs. Cox, Cranor, Collard, Gates, Hill, King, Whiteaker, Warren and Mr. Speaker—9.

So the bill passed.

C. B. 51, Entitled A bill for the relief of Asahel Bush.
Read third time.
Question being
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Brown of Linn, Cox, Cranor, Cooley, Collard, Dryer, Gates, Hayden, Hughes, King, Matthews, Spear, Woodsides and Warren—14.

Nays—Messrs. Allen, Brown of Jackson, Hill, Jeffers, Mack, Rees, Whiteaker and Mr. Speaker—8.

So the bill passed.

Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Feb. 2, 1858.

MR. SPEAKER:

I am directed by the President of the Council to inform you that the Council has passed the following bills

H. B. 90, Entitled A bill for the relief of Archelaus Jordan.

With one amendment.

H. B. 92, Entitled An act authorising Asby P. Minear to establish a Ferry across the Columbia river.

With two amendments; in which amendments to said bills the Council requests the concurrence of the House.

They have also passed the following bills:

H. B. 89, Entitled A bill for the relief of Lawrence F. Jordan.

H. B. 98, Entitled A bill to amend an act relating to roads and ferries.

Each without amendment.

They concur in the resolution,

H. J. R. 21, In reference to the joint convention of the two Houses, on the 8d inst. to elect a pilot commissioner.

The Council have adopted a resolution;

C. J. R. 5, Relative to forwarding to the postal agent the joint memorial of the Legislative Assembly, on the subject of additional mail routes.

In which they request the concurrence of the House.

THOS. B. MICOU,
Chief Clerk.

On motion,

The House concurred in the amendment of the Council to H. B. 90.

Ordered, That the Clerk acquaint the Council therewith.

On motion,

The House concurred in the first amendment of the Council to H. B. 92; but refused to concur in the second amendment of the Council, to said bill.

Ordered, That the Clerk acquaint the Council therewith.

Mr. Gates offered the following resolution:

H. J. R. 23,

Resolved, by the House, the Council concurring, That when the respective Houses adjourn, for this day, they do adjourn to meet at 8 o'clock, A. M., on Thursday, February, 4th, preparatory to adjourning *sine die*.

On motion,

The resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Feb. 3, 1858.

MR. SPEAKER:

The President having signed the following bills:
H. B's 6, 13, 55, 66, 74, 75, 84 and 88,
Also, H. M. 3,
They are herewith transmitted, as per instructions.

THOS. B. MICOU,
Chief Clerk.

The Speaker announced he had signed,
H. B's 20, 58, 68, 72, 73, 76, 77, 78, 79, 81, 85, 86, 94, 102, 106, and 108, and
H. J. R. 4, 17, and 19, also,
H. M's 2, 4 and 5,

Ordered, That the Clerk transmit the same to the President of the Council for his signature.

On motion,
House adjourned.

AFTERNOON SESSION.

Mr. Dryer, on leave, introduced,

H. J. R. 24,

Resolved, by the House, the Council concurring, That Joint Rule No. 11 be suspended for this day.

On motion of Mr. Allen,
That there be a call of the House.
On motion of Mr. Dryer,
All further proceedings in the call of the House were dispensed with.
Question being on the passage of the resolution,

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Cox, Cranor, Cooley, Collard, Dryer, Gates, Hayden, Hughes, Jeffers, King, Matthews, Whiteaker, Woodsides, Warren and Mr. Speaker—17.

Nays—None.

So the resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

Mr. Gates introduced the following resolution:

H. R. 32,

Resolved, That the Clerk be instructed to inform the Council that the House is now ready to receive them, for the purpose of going into joint convention, for the election of one pilot commissioner.

On motion,

The resolution was adopted.

Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Feb. 3, 1858.

MR. SPEAKER:

As instructed by the President of the Council, I inform you that the bill,

H. B. 105, To provide for paying the expenses of prosecutions against persons belonging to the army of the United States, committing offences within the Territory.

Has been passed by the Council.

The Council has adopted a resolution:

C. J. R. 7, Providing for transmission of certain documents to the President of the United States, and the Secretary of War;

In which they request the concurrence of the House.

THOS. B. MICOU,
Chief Clerk.

On motion,

The House concurred in C. J. R. 7,

Ordered, That the Clerk acquaint the Council therewith.

Mr. Spear, from the committee on enrolled bills, reported
C. B. 49, and C. M. 5,
Correctly enrolled.

On motion of Mr. Spear,
That the vote by which the House concurred in the amendments of the Council to
H. B. 6, Entitled An act to incorporate the City of Salem.
Be reconsidered.
On motion of Mr. Cox,
That there be a call of the House;
The roll having been called, the following named members failed to answer to their names:

Messrs. Able, Brown of Linn and Mack.

On motion of Mr. Dryer,
That all further proceedings in the call of the House be dispensed with.
Adopted.

In conformity with the resolution, the President and members of the Council took their seats in the House.

IN JOINT CONVENTION.

On motion of Mr. Gates,
Joint convention proceeded to the election of one pilot commissioner:
Mr. Jeffers put in nomination Mr. Richard Hoyt;
Mr. Wait put in nomination Capt. Couch;
Those voting for Mr. Hoyt were as follows:

Messrs. Able, Allen, Brown of Linn, Cox, Cranor, Cooley, Collard, Dryer, Gates, Hill, Hughes, Jeffers, King, Matthews, Woodsides, Butler, Cornelius, Drain, Ford, Scott, Sheil and Mr. President—22.

Those voting for Capt. Couch were

Messrs. Brown of Jackson, Hayden, Spear, Whiteaker, Smith and Wait—6.

Mr. Hoyt, having received a majority of all the votes cast, was declared duly elected.

On motion of Mr. Wait,
The joint convention dissolved, and the Council retired.

HOUSE OF REPRESENTATIVES.

The House resumed the consideration of the question pending at the time the Council and House went into joint convention.

On motion of Mr. Gates,
That there be a call of the House;
The roll having been called, the following named members failed to answer to their names:

Messrs. Brown of Jackson, Brown of Linn, Spear and Mack.

On motion of Mr. Gates,
All further call of the House was dispensed with.
The question recurring upon the motion of Mr. Spear:
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Gates, Hayden, Hughes, Matthews, Spear, Woodsides and Mr. Speaker—13.

Nays—Messrs. Allen, Collard, Dryer, Hill, Jeffers, King, Mack, Whiteaker and Warren—9.

So the motion was adopted.

On motion of Mr. Brown of Jackson,
That the House do not concur in the amendments of the Council, to H. B. 6.

And also moved,
That there be a call of the House;
The roll having been called, the following named members failed to answer to their names:

Messrs. Spear, Dryer and Hayden.

On motion of Mr. Gates,
The House took a recess until seven o'clock.

On motion of Mr. Hughes,

That the House do concur in the amendments of the Council to H. B. 6.

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Allen, Collard, Dryer, Hill, Hughes, Jeffers, King, Mack, Warren and Speaker—11.

Nays—Messrs. Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Gates, Hayden, Matthews and Woodsides—9.

So the House concurred.

Messages from the Council, per their Clerk, Mr. Micou.

COUNCIL CHAMBER, Feb. 3, 1858.

MR. SPEAKER:

As instructed by the President of the Council, I herewith transmit the enrolled bills,

C. B's 45, 46, 48, and 49,

Also, C. B's 4, and 5,

To which your signature, is respectfully requested.

THOS. B. MICOU,
Clerk of the Council.

Whereupon, the Speaker signed the same.

Ordered, That the Clerk transmit the same to the Council.

COUNCIL CHAMBER, Feb. 3, 1858.

MR. SPEAKER:

As instructed by the President of the Council I inform you that the Council have passed the following bills:

H. B. 107, Entitled An act relating to roads and ferries.

H. B. 110, A bill for the relief of certain creditors of the Territory.

H. B. 114, Entitled An act for the relief of T. J. Dryer.

H. B. 111, A bill for the relief of Wm. L. White.

The Council insist on their amendments, disagreed to by the House, on the bill, H. B. 92, and ask a conference with the House on the said disagreeing votes, and have appointed as the committee of conference on their part:

Messrs. Cornelius and Smith.

THOS. B. MICOU,
Chief Clerk.

On motion of Mr. Gates,

The House insisted upon their disagreement to the amendment of the Council to H. B. 92, and agreed to the conference on said bill asked by that body.

Speaker appointed

Messrs. Gates and Warren said committee on the part of the House.

Messages from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Feb. 3, 1858.

MR. SPEAKER:

The President of the Council instructs me to inform you that the Council concurs in

H. J. R. 4, To suspend the Joint Rule No. 11, for this day.

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Feb. 3, 1858.

MR. SPEAKER:

As instructed by the President of the Council, I inform you that the Council has passed the following bills:

H. B. 52, Entitled An act to amend an act entitled an act to change the compensation of judges and clerks of elections.

H. B. 67, Entitled A bill to more effectually provide for the labor of convicts.

The latter with one amendment attached, in which the concurrence of the House is requested.

THOS. B. MICOU,
Chief Clerk.

On motion,

The House concurred in the amendment of the Council to H. B. 67.

Ordered, That the Clerk acquaint the Council therewith.

COUNCIL CHAMBER, Feb. 3, 1858.

MR. SPEAKER:

The President of the Council directs me to inform you that the Council has concurred in

H. J. R. 23, In reference to adjournment.

THOS B. MICOU,
Chief Clerk.

Mr. Dryer submitted the following resolution:

H. R. 33,

Resolved, That the unqualified thanks of this House are eminently due, and they are hereby most cordially tendered to the Hon. Ira F. M. Butler, the Speaker of this House, for the prompt, able, and impartial manner in which he has discharged the duties of the arduous and responsible position assigned him as presiding officer of this House.

On motion,

The resolution was unanimously adopted

Mr. Gates submitted the following resolution:

H. R. 34,

Resolved, That the thanks of this House are hereby tendered to the Chief Clerk, and other officers of this House, for the prompt and faithful performance of their respective duties.

On motion,

The resolution was unanimously adopted.

On motion,

H. B. 87, Entitled A bill to establish and authorize a system of rewards for the apprehension of fugitives from justice.

Was taken from the table, and

Ordered to a third reading.

Accordingly, the bill was

Read third time.

Question being,

Shall the bill pass?

The yeas and nays were demanded and resulted as follows:

Yeas—Messrs. Allen, Brown of Jackson, Cox, Dryer, Hayden, Hughes, Jeffers, Matthews and Woodsides—9.

Nays—Messrs. Able, Brown of Linn, Cranor, Cooley, Collard, Gates, Hill, King, Warren and Mr. Speaker—10.

So the bill was lost.

Mr. Hayden, from the select committee to whom was referred

C. B. 50, A bill to authorize the University Land Commissioner to sell to Waymire and Tillotson eighty acres of land.

Made report of the same back to the House, with amendments.

On motion,

That the report be laid upon the table.

The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Allen, Brown of Linn, Cox, Cranor, Gates, Hill, Hayden, King, Matthews, Woodsides and Mr. Speaker—11.

Nays—Messrs. Able, Brown of Jackson, Cooley, Collard, Dryer, Hughes, Jeffers and Warren—8.

So the report was laid upon the table.

On motion,

The bill was put upon its final passage;

Question being,

Shall the bill pass?

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Allen, Cox, Cranor, Hill, Hayden, King, Matthews, Woodsides and Mr. Speaker—9.

Nays—Messrs. Able, Brown of Linn, Brown of Jackson, Cooley, Collard, Dryer, Gates, Hughes, Jeffers and Warren—10.

So the bill was lost.

On motion of Mr. Brown of Jackson,

H. B. 99, Entitled A bill to provide for the storage and care of the arms and accoutrements belonging to the Territory.

Was taken from the table, and

Read third time.

Question being,
Shall the bill pass?
The yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Gates, Hayden, Hughes, King, Matthews, Woodsides and Mr. Speaker—13.

Nays—Messrs. Collard, Dryer, Hill and Warren—4.

So the bill passed.

On motion of Mr. Brown of Jackson,
The committee of the whole was discharged from the further consideration of
H. B. 61, Entitled A bill for the relief of Nat. H. Lane.

On motion of Mr. Collard,
That there be a call of the House.
The roll having been called, the following named members failed to to answer to their names:

Messrs. Gilliland, Johnson, Mack, Rees, Shuck, Spear, Slater and Whiteaker.

On motion of Mr. Able,
All further proceedings in the call of the House were dispensed with.

On motion,
The bill was considered engrossed, and ordered to a third reading.
Accordingly, the bill was
Read third time.
Question being,
Shall the bill pass?
The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Able, Brown of Linn, Brown of Jackson, Cox, Cranor, Cooley, Gates, Hughes, King, Matthews, Woodsides and Mr. Speaker—12.

Nays—Messrs. Collard, Dryer, Hill and Warren—4.

So the bill passed.

Mr. Brown of Jackson introduced,

H. J. R. 25,

Resolved, by the House, the Council concurring, That the rules be suspended, to allow of bills being received from either House.

On motion,

The resolution was adopted.

Ordered, That the Clerk request the concurrence of the Council therein.

On motion,

The House adjourned.

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Wednesday, Feb. 3, 1858.

CHAS. B. HAND,
Chief Clerk.

THURSDAY, FEBRUARY 4, 1858.

The House met pursuant to adjournment.

Absent—Messrs. Belknap, Cox, Gilliland, Johnson, Kirkpatrick, Mack, Rees, Shuck and Slater.

Journal of yesterday read, and approved.

On motion of Mr. Gates,

The order of business was dispensed with.

Message from the Council, per Mr. Micou, their Clerk:

COUNCIL CHAMBER, Feb. 3, 1858.

MR. SPEAKER:

The President of the Council has signed:

H. B's 79, 108, 78, 77, 76, 73, 72, 68, 58, 20, 102, 106, 93, 94, 86, 85 and 81,

Also, H. J. R's 4, 17, and 19,

Also, H. M's 2, 4 and 5,

Which are herewith returned, as per instructions of the President.

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Feb. 4, 1858.

MR. SPEAKER:

I am directed by the President to inform you that the Council has passed the following bills:

H. B. 113, Entitled A bill to authorize the Territorial Auditor to commence suit against Yamhill county.

And the same is herewith returned to the House in which it originated.

THOS. B. MICOU,
Chief Clerk.

COUNCIL CHAMBER, Feb. 4, 1858.

MR. SPEAKER:

I am instructed to inform you that the Council has concurred in H. J. R. 25, In relation to suspending the rules.

THOS. B. MICOU,
Clerk of the Council.

Mr. Spear, from the committee on enrolled bills, reported
C. B's 9 and 51,
C. J. R's 7 and 8,
And H. B. 67,
Correctly enrolled.

On motion of Mr. Gates,
That the Clerk be instructed to inform the Council that the House having finished the legislative business before it, is now ready to adjourn.
Adopted.

The Speaker announced he had signed,
H. B's 113, 107, 111, 114, 67, 110 and 52.
Ordered, That the Clerk request the President of the Council to sign same.

Messages from the Council, by Mr. Micou, their clerk:

COUNCIL CHAMBER, Feb. 4, 1858.

MR. SPEAKER:

As instructed by the President of the Council, I transmit the enrolled bill and joint resolutions as follows:

C. B. 9, Entitled An act to amend an act entitled an act relating to stallions, passed January, 10, 1854.

C. B. 51, An act for the relief of Asahel Bush.

C. J. R. 7, Providing for transmission of certain documents to the President of the United States, and the Secretary of War;

Also, C. J. R. 8.

Respectfully requesting your signature thereto.

THOS. B. MICOU,
Chief Clerk.

Whereupon, the Speaker signed the same.

COUNCIL CHAMBER, Feb. 4, 1858.

MR. SPEAKER:

As instructed by the President of the Council, I inform you that he has signed the following bills:

H. B's 52, 67, 110, 111, 113, 114 and 107,

Which are herewith returned to you.

C. B's 45, 46, 48, 49, 44, 47, 39, 7, 42, 9 and 51,

C. M's 4 and 5,

And C. J. R's 7 and 8.

THOS. B. MICOU,
Chief Clerk.

A motion was then made by Mr. Whiteaker, at 10 o'clock, A. M., that the House adjourn.

It was decided in the affirmative; whereupon,

The Speaker addressed the House as follows:

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:—The hour has arrived, when, by your order, this body will adjourn, *sine die*. It is a pleasure to me, to me to return you my sincere thanks, for the courtesy and kindness you have extended towards me, whilst I have presided over

your deliberations, and shall ever feel grateful for your forbearance towards my faults.

It has been my endeavor, to the best of my ability, to discharge, with justice and impartiality, the duties of the chair, and if, at any time, I have failed so to do, I can only say, you have my sincere regrets.

Wishing you all a safe and prosperous journey to your homes, I pronounce this House dissolved.

IRA F. M. BUTLER,
Speaker of the House of Representatives

I certify that the foregoing is a true and correct copy of the Journal of the House of Representatives of Oregon Territory, approved by said House, for Thursday, Feb. 4, 1858.

CHAS. B. HAND,
Chief Clerk.

QUESTIONS OF ORDER,

Decided by the Speaker, at the Ninth Regular Session of the Legislative Assembly of Oregon Territory.

IRA F. M. BUTLER, OF POLK COUNTY, SPEAKER.

FRIDAY EVENING, JANUARY 29, 1858.

The question being upon the adoption of

H. R. 23, Relative to the expulsion of W. W. Page, Reporter, for the "Oregon Statesman."

Pending debate thereon,

Mr. Allen rose, and called Mr. Brown, of Jackson, to order, under Rule 14, "prohibiting personalities."

The Speaker decided,

Mr. Brown to be in order.

SAME DAY.

Mr. Shuck moved a call of the House;

The question was put, and decided in the negative.

Whereupon, Mr. Rees made the point of order, that any member could have a call of the House, without a vote, which point of order was sustained by the Chair.

Mr. Woodsides moved,

That the Council be requested to return to the House

H. B. 57, Entitled An act for the relief of Wm. M. King.

Mr. King rose, and addressed the Chair, when

Mr. Brown, of Jackson, made the point of order, that any member being interested in a question, has no right to speak or vote thereupon.

The Speaker overruled the said point of order, deciding that a member had a right to speak, but not to vote, upon a question in which he was interested.

Pending the same motion,

Mr. King, and Mr. Brown of Jackson, having risen to address the Chair, the Speaker recognized Mr. King, when

Mr. Brown claimed that he was entitled to the floor.

The Speaker decided that Mr. King was entitled to the floor—unless a member wished to speak who had not spoken before.

SAME DAY—AFTERNOON SESSION.

Mr. King, having risen and addressed the Chair,

Mr. Brown of Jackson, appealed from the decision of the Chair, on the point of order made by himself, relative to a member's right to vote upon a question wherein he he is interested.

And the question being put:

"Shall the decision of the Chair be sustained?"

It was decided in the affirmative.

Yeas—17. Nays—7.

So the decision of the Chair was sustained.

ERRATA.

On page 5, the names of Messrs. Johnson and Slater should be added to those voting for C. B. Hand, for Chief Clerk. Lines thirteen, nineteen and twenty of same page should be omitted.

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APPENDIX TO HOUSE JOURNAL.

LIBRARIAN'S REPORT.

To the Honorable, the Legislative Assembly
of the Territory of Oregon:

In compliance with law, I have the honor to submit to you my annual report of the condition of the Territorial Library, with a catalogue of the same.

His Excellency, Gov Curry, has secured a comfortable room in the Court House for the use of the library, in which shelves have been put up sufficient to contain all the books now on hand. The appropriation of five hundred dollars referred to by my predecessor in his last annual report, was expended by the Governor for law reports principally, which arrived in good order and are enumerated in the catalogue hereunto appended.

The library room has been fitted up with a view to comfort and convenience, without extravagance

As the office of Territorial Auditor has been kept in the library room the incidental expenses of the two are somewhat merged in each other—all of which will not exceed $200—and will be reported to your Honorable body in detal at an early day.

CATALOGUE OF BOOKS NOW ON HAND.

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" Washington Territory—second session,	1
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" " " Massachusetts (duplicates) for 1856,	2
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" Oregon Territory, 1855–'6,	10
" " " 1856–'7,	10
Acts, Reports and Resolutions of South Carolina, 1855,—1 vol., 1856,—1 vol.,	2
Acts of Louisiana, 1856,	2
" Kentucky, 1855–'6,	2
" Georgia, 1855–'6,	1
" Pennsylvania, 1856, 1 vol., 1857, 1 vol.,	2
" Maryland, 1856,	1
" California, 1856, 3 vols., 1857, 2 vols.,	5
" New Jersey, 1856, 1 vol., 1857, 1 vol.,	2
" North Carolina, 1856–'7,	1
Acts and Resolutions of Maine, 2 vols. 1855, 2 vols. '56, 2 vols. '57,	6
Acts of Michigan, 1857,	1
" Texas, 1855–'6,	1
" Illinois, 1853,	1
American Architect,	1
Architecture, Building and Carpentry,	1
Astronimical Expedition, U. S. Naval,	2
Agricultural Society of Connecticut, Transactions of	3
Agricultural Society of Illinois,	1

	NO. VOLS
Army, Books of	1
Army Regulations, 1857,	1
Arms, small, U. S. Army,	1
Army Meteorological Register,	1
Architecture, Pennsylvania School,	1
Adams, John—Life and Works, vols. 1 and 10,	2
C	
Collonial Records, New Haven, 1638, 1649,	1
Collonial Records, Rhode Island, vol. 1, 1636, 1663—vol. 2, 1664, 1677,	2
Classical Library, vols 1 and 2,	2
Commerce and Navigation of U. S., 1856,	1
Commercial Relations of U. S. 1856,	1
Coast Survey, by A. D. Bache, 2 vols. 1854, 3 vols. 1855,	5
" " Book of Maps,	2
" " Ten Wall Maps,	
Congressional Globe, parts 2, and 3, 1st session of 34th Congress,	2
" " Appendix to " " " " "	1
Criminal Practice—Archibald's,	3
Common Schools of Pennsylvania,	2
" " " Connecticut,	1
Constitutional Convention of Massachusetts, debates of (vol. 2)	1
" " " Maine, journal of	1
Code of North Carolina, Revised,	3
Code, Criminal, Texas,	1
E	
Education, Public of Louisiana,	1
Exploring Expedition of U. S.—by Wilkes,	3
Executive Documents—33d Congress,	44
F	
Ferdinand and Isabella, (Vol. 1st)	1
G	
Geological Survey of Wisconsin, Iowa and Minnesota—with maps,	2
Geological Survey of New Jersey—2d annual report,	1
Geological Survey of Kentucky	2
Geography of Heavens,	1
Gibbons' Rome,	1

H

	NO. VOLS
Homer, Pope's Translation of	2
Howatt's Journal (vol. 2.)	1
Howe's Practice,	1

I

Industry of Massachusetts,	3
Indians, History, Condition and Prospects of—by Schoolcraft,	2
Idiocy, Report on, by Commissioners of Connecticut,	1
Instruction, Public, Report of Superintendent of California,	1

J

Journal of House of Representatives of Territory of New Mexico, 1851,	1
Journal of House Representatives of Territory of Nebraska, 1855.	1
" " " Washington Territory, 1854–'5, and 1855–'56,	2
Journals of Council of Washington Territory, 1854–'5 and 1855–'6,	2
" House of Representatives of Oregon Territory, 1855–'6, 10 vols, 1856–'7, 10 vols,	20
Journals of Council of Oregon Territory, 1855–'56, 10 vols, and 1856–'7. 10 vols,	20
Journal of California Senate, 1855,	1
" Appendix to (duplicate)	2
" of California Assembly, 1856,	3
" Appendix to (triplicate)	3
" of California Assembly, 1857, 2 vols—Senate, 2 vols—Appendix to each, 2 vols,	6
Journal of House of Representatives of Connecticut, 1857, 1 vol., of Senate, 1 vol.,	2
Journal of House of Representatives of Florida, 1854, 1 vol, of Senate, 1 vol,	2
Journal of House of Representatives of Connecticut, 1856, 1 vol., Senate, 1 vol,	2
Journal of House of Representatives of United States, 1st sess., 33d Congress,	2
Journal of Senate of United States, 1st Sess., 33d Congress,	2
" House of Representatives of 34th Congress,	8
Jefferson's Complete Works,	1
Japan Expedition,	3

L

	NO. VOLS
Law of Nations—by Vattell,	1
Laws of New Jersey—Nixon's Digest,	1
" Illinois—Freeman's Digest,	2
Librarian's Report—Tennessee,	1
" " Pennsylvania,	1

M

Message and Documents—Congress,	5
Map of Rhode Island, (bound and cased),	1

O

Oregon Archives,	5
Oregon Laws of Provisional Government,	3

P

Patent Office Reports,	4
Pacific R. R. Exploring Expedition,	1

R

Reports—Johnson's Cases, (S. C. N. Y.)	3
" " "	20
" Denio's "	5
" Wendell's "	26
" Barbour's "	21
" Cowen's "	9
" Hill's "	7
" Caine's "	3
" Digest of "	4
" Comstock's of Court of Appeals, New York,	4
" Selden's, of Court of Appeals, New York,	4
" Sandford's, of Superior Court of New York City,	5
" Howard's Practice Reports,	11
" Kevnan's, of New York Court of Appeals	2
" Bibbs', Kentucky,	4
" B. Monroe's "	14
" T. B. Monroe's, Kentucky,	7
" A. K. Marshall's "	3
" J. J. Marshall's "	7
" Dana's "	9

	NO. VOLS
Reports—Littell's	5
" Of Alabama, vols. 27, 28, 29,	3
" Foster's, vols. 4, 7, 9, 10, 11,	5
" California, vols. 4 and 5, (duplicate)	4
" Texas, vols. 13, 14, 15,	3
" Texas, Digest of	1
" Georgia, vols. 16 and 17,	2
" Louisiana, vols. 10 and 11,	2
" Illinois, vols. 13 and 16,	2
" North Carolina, vols. 1 and 2 (duplicate)	4
" Missouri, vols. 1 and 2,	2
" Ohio, vol. 3,	1
" Of Supreme Courts, Gray's, vol. 2, (duplicate)	2
" " Rhode Island, vol. 3,	1
" " Arkansas, vol. 15,	1
" " S. C. Cushing, vol. 9, (duplicate)	2
" " S. C. Howard, vol. 18,	1

S.

Schools, Public, Rhode Island,	3
Statutes of Oregon, Revised, 1855,	10
" " Louisiana, " 1856,	2
" " Rhode Island, Revised,	1
Senate Documents, U. S.,	40
Statesman's Manual, vol. 1	1
Smithsonian Contribution to Knowledge, vols. 3, 4, 6, 7,	4

U.

University of New York, Report of Regents, vol. 69,	1

W.

Webster's Speeches, vol. 1,	1

The following newspapers have been sent to the Library during the past year and duly filed: The Oregon Statesman, Pacific Christian Advocate, Oregon Weekly Times, Democratic Standard and Oregon Sentinel. These papers are sent at the option of Editors, and without authority of law. I would respectfully suggest that the Legislative Assembly designate the number of papers which may be sent and filed in the Library.

Respectfully submitted,

B. F. BONHAM,

Dec. 16, A. D., 1857. *Territorial Librarian.*

AUDITOR'S REPORT.

TERRITORIAL AUDITOR'S OFFICE
Salem, O. T. Dec. 7th, 1857,

To the Honorable the Legislative Assembly of the Territory of Oregon:

I herewith transmit to you as required by law my annual report of the financial condition of the Treasury Department for the fiscal year ending December 7th, 1857.

The Treasurers of the following named counties have paid into the Territorial Treasury since my last annual report, as follows:—

From	Benton	County,	$1,205,00
"	Clackamas	"	1,447,06
"	Clatsop	"	348,61
"	Columbia	"	204,11
"	Curry	"	113,90
"	Coos	"	66,65
"	Douglas	"	2,740,13
"	Jackson	"	930,68
"	Josephine	"	155,34
"	Lane	"	1,467,66
"	Linn	"	1,260,00
"	Marion	"	4,380,53
"	Multnomah	"	1,535,81
"	Polk	"	3,155,00
"	Tilamook	"	
"	Umpqua	"	402,15
"	Washington	"	178,52
"	Wasco	"	309,32
"	Yamhill	"	1,301,58
		Total,	$21,802,50

Amount in hands of Territorial Treasurer at commencement of last fiscal year Dec. 6th, 1856,	$ 6,06
Total sum charged to Treasurer,	$21,808,11

The foregoing sums embrace the full amount of Territorial revenue paid into the Treasury during the past year, including the revenue proper for 1856. Some delinquencies for 1854 and 1855, $4,874,26, which has been advanced for 1856, (the revenue of this year not becoming due until the first Monday of February 1858.) and the following sums which were forfeited on the revenue due for 1856, in consequence of the failure of County Treasurers to pay their Territorial tax at the time and in the manner prescribed by law, to wit:

By the Treasurer of Benton County,	$ 65,46
" " " " Clackamas "	6,73
" " " " Clatsop "	64,52
" " " " Columbia "	38,59
" " " " Josephine "	41,58
" " " " Lane "	37,44
" " " " Marion "	87,41
" " " " Polk "	223,37
Total,	$565,10

All the original charges (one mill on the dollar,) for 1856 have been paid, together with all the forfeitures except those of Jackson and Multnomah counties, the accounts against which have been placed in the hands of prosecuting attorneys for collection, as required by law.

It does not appear from the foregoing abstract that Washington Co. has paid the amount of revenue due for 1856, which arises from the fact that said county has placed to her credit certificates issued from this office authorizing the Treasurer of said county to retain the Territorial tax assessed on real estate in 1854 and 1855, as per act for the relief of Clackamas and other counties, passed January 15th, 1856.

As stated in my last annual report the county of Tilamook made no assessment for 1856, in consequence of which I have no account between the Territory and that county for said year; but I find from the assessment roll of Tilamook county for 1857, that they have levied two mills on the dollar for Territory to supply the deficit.

Warrants which have been issued from this office during the last fiscal year are as follows.

1856.	No.		AMOUNT.
Dec. 15,	57	R. E. Wiley, for services in maintaining insane person, (Andrew Eisman), from July 3d, 1855, to Feb. 1st, 1856,	$ 319 50
" "	58	R. E. Wiley, Sheriff of Washington Co, for services in conveying convict to Penitentiary,	15 20
" 18	59	Ahio Watt, for services U. L Commissioner, 17 days, at $5 per day.	85 00
" "	60	Geo. K. Sheil, as per act of Legislative Assembly passed Dec. 18th, 1856,	250 00
1857.			
Jan. 1	61	B. F. Bonham, for services as Territorial Auditor, from July 1st, 1856, to Jan. 1st, 1857.	150 00
" 3	62	R. E. Stratton, for services as prosecuting Attorney, for 3d judicial district, from July 1st 1856, to Jan. 1st 1857.	150 00
" "	63	George Flavel, for services as pilot commissioner, for year ending Dec. 31st 1856,	125 00
" 5	64	Geo. K. Sheil, for services as prosecuting attorney of 1st judicial district, from July 1st, 1856, to Jan. 1st, 1857.	250 00
" 6	65	G. W. Vaughn, for sundries furnished penitentiary convicts,	32 75
" "	66	Joseph Sloan, for services as keeper of penitentiary, from August 1st, to Nov. 1st, 1856, and for boarding convicts, same time,	702 95
" "	67	Joseph Sloan, for sundries furnished penitentiary convicts,	58 00
" "	68	C. A. Pickett, for services as assistant keeper of penitentiary, from Aug. 1st, to Nov 1st, 1856,	150 00
" "	69	R. B. Wilson, M.D., for services as physician to penitentiary convicts from May 12th, to Nov. 15th, 1856.	50 00
" 8	70	Smith & Davis, for medicine furnished penitentiary convicts,	17 00

1857.	No.		AMOUNT.
Jan 20	71	Wm. L. McEwan, for services as prosecuting attorney of second judicial district, from July 1st, 1856, to Jannuary 1st, 1857,	250 00
" 26	72	Ashael Bush, for services as per act of Legislative Assembly passed Jan. 15th, 1857,	267,00
" "	73	B. F. Bonham, for incidental expenses of office as per act of Legislative Assembly passed January 15th, 1857.	95 00
" "	74	"Oregon Weekly Times," for services as per act of Legislative Assemby. pased January 15th, 1857.	116 00
" 29	75	John W. Starr, for services in maintaining insane person (Henry Shepherd) from Jan. 1st, to Feb. 1st, 1856.	46 50
" "	76	James Ogle, for services in laying out Territorial road as per act of Legislative Assembly passed Jan. 23, 1857,	309 00
" "	77	Wiley Chapman, for services as per act of Legislative Assembly passed Jan. 23, 1857	1,250 00
Feb. 2	78	E. S. Cox and P. D. Palmer, for services as per act of Legislative Assembly passed January 28th, 1857.	300 00
" 10	79	Joseph Sloan, for services as keeper of Penitentiary and for boarding convicts from Nov. 1st, 1856, to Feb 1st, 1857,	737 86
" "	80	C. A. Picket, for services as assistant keeper of penitentiary from Nov. 1st, 1856, to January 31st, 1857,	150 00
" "	81	Joseph Sloan, for sundries furnished penitentiary convicts,	17 50
" 28	82	David Cosper, (Sheriff of Polk Co.) for services in conveying convict to penitentiary	114 00
M'rch 13	83	Joseph Sloan, (Sup't of penitentiary) as per act of Legislative Assembly passed Jan. 27th, 1857,	1000 00
" 18	84	James Burk, for services in making one pair of shackles for penitentiary convict,	8 00
April 1	85	B. F. Bonham, for services as Territorial Auditor from Jan 1st, to April 1st, 1857	125 00

1857.	No.		AMOUNT.
April 1	86	J. D. Boon, for per cent due as treasurer of Marion county on Territorial revenue,	85 11
" 4	87	J. L. Brumley, (attorney of Presley Scott,) for services in maintaining Hamilton Richey (insane) from Sept. 12th, 1855, to Feb. 1st, 1856,	251 75
" 11	88	W. G. T'Vault, for services as prosecuting attorney of third judicial district, from 1st of July 1856, to 1st of Jan. 1857,	150 00
May 11	89	Joseph Sloan, for services as superintendent of penitentiary from Feb. 1st, to May 1st 1857,	250 00
" "	90	C. A. Picket, for services as keeper of penitentiary from Feb. 1st, to May 1st, 1857	150 00
" "	91	C. A. Picket, for boarding, clothing, &c, furnished penitentiary convicts from Feb. 1st, to May 1st, 1857,	419 06
June 8	62	Thos. Pyle (sheriff of Jackson Co.) for services in conveying convict to penitentiary	259 75
" 12	93	Wm. Tichenor, for services as pilot commissioner for the year ending Jan. 1st, 1857	125 00
" 17	94	B. F. Harding, for services in distributing laws and journals of 9th session of Legislative Assembly,	100 00
July 1	95	Geo K. Sheil, for services as prosecuting attorney of 1st judicial district from Jan. 1st, to July 1st, 1857,	250 00
" 7	96	Thos. Pyle, (Sheriff of Jackson Co.) for services in conveying convict to penitentiary	286 00
" 30	97	R. E. Stratton, for services as prosecuting attorney of 3d judical district from Jan. 1st, to July 1st. 1857,	150 00
Aug. 3	98	Joseph Sloan, for services as superintendent of penitentiary from May 1st, to August 1st, 1857,	250 00
" "	99	C. A. Pickett, for services as keeper of penitentiary from May 1st to Aug. 1st, 1857,	150 00

1857.	No.		AMOUNT.
Aug. 3	100	C. A. Picket, for boarding penitentiary convicts from May 1st to Aug. 1st 1857	394 26
" "	101	C. A. Picket, for sundries furnished penitentiary convicts,	133 37
" "	102	Wm. L. McEwan, for services as prosecuting attorney of 2d judicial district, from Jan. 1st to July 1st, 1857.	250 00
" 13	103	B. F. Bonhom, for services as territorial auditor, from April 1st, to July 1st, 1857,	125 00
" 20	104	Seymour & Joynt, for sundries furnished superintendent of penitentiary for use of convicts,	98 10
Sept. 3	105	H. B. Parker, sheriff Clatsop co., for services in conveying convict to penitentiary,	66 00
" 16	106	W. H. Johnson, superintendent of common schools for Benton co, for services in sale of school lands,	21 00
" 19	107	B. F. Bonham, superintendent of common schools for Marion county, for services in sale of school lands,	118 75
" 22	108	R. B. Wilson, for medical services rendered penitentiary convicts,	225 00
" 22	109	Smith & Davis, for medicines furnished penitentiary convicts,	70 00
" 23	110	D. M. Risdon, superintendent of common schools for Lane co., for services in sale of school lands for 1857,	86 50
" 24	111	D. M. Risdon, superintendent of common schools for Lane co., for services in sale of school lands for 1856,	124 50
Oct. 15	112	B. F. Bonham, for services as territorial auditor, from July 1st, to Oct. 1st, 1857,	125 00
" 16	113	Geo. K. Sheil, for services in prosecuting forfeited recognizance for $200,	20 00
Nov. 2	114	Joseph Sloan, for services as superintendent of penitentiary from Aug. 1st, to Nov. 1st, 1857,	250 00

1857.	No.		AMOUNT
Nov. 2	115	C. A. Picket, for services as keeper of penitentiary from Aug. 1st, to Nov. 1st, 1857.	150 00
Nov 2	116	Smith & Davis, for medicines furnished penitentiary convicts,	40 50
" "	117	C. A. Picket, for boarding penitentiary convicts from Aug 1st, to Nov. 1st 1857,	459 99
" "	118	C. A. Picket, for sundries furnished penitentiary convicts during quarter ending Nov. 1st, 1857.	191 33
" 7	119	S. B. Fargo, sheriff of Benton co., for services in conveying convict to penitentiary,	114 00
Dec. 2	120	James Hendershott,* sheriff of Josephine co., for services in conveying two convicts to penitentiary and a third as far as Salem, where he was shot in attempt to escape,	932 50
" "	121	Narcisse A. Cornoyer sheriff of Marion co for services in conveying convict to pentiary,	83 00
		Total,	$14,196 73

The following duplicate receipts of proceeds of sales of common school lands have been filed in this office during the past fiscal year, in accordance with an act of the Legislative Assembly passed January 26, 1856.

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*[N.B, In explanation of the amount allowed the Sheriff of Josephine county for above services, I would state, that in consequence of the desperate character of the prisoners, who were convicted of highway robbery, it was deemed necessary by the Sheriff to have three competent guards with him.]

1857.			AMOUNT.
April	14,	From Sup't of common schools for Umpqua Co.	
"	"	In cash,	$ 39 40
"	"	In notes,	262 20
		Interest on notes for six months,	13 12
		Total,	$314 72
Sept.	16,	From Sup't of common schools for Benton Co.	
"	"	In cash,	40 00
"	"	In notes,	120 00
"	"	Interest on notes for six months,	6 00
		Total,	$166 00
"	"	From sup't of common schools for Clackamas Co.	
"	"	In cash,	455 50
"	"	In notes,	1,582 50
"	"	Interest on notes for six months,	79 13
		Total,	$2,117 13
"	18	From sup't of common schools for Marion Co.	
"	"	In cash,	2,335 64
"	"	In notes,	7,006 92
"	"	Interest on notes for six months,	350 34
		Total,	$9,692 90
Oct.	6,	From sup't of common schools for Marion Co.	
"	"	In cash,	56 16
"	"	In notes,	168 48
"	"	Interest on notes for six months,	8 42
			233 06
		Add to this preceding sum	9,692 90
		Total,	$9,925 96

1857.			AMOUNT.
Sept.	23,	From sup't of common schools for Lane County,	
"	"	In cash,	967 26
"	"	In notes,	2,901 80
"	"	Interest on notes for six months,	249 30
		Total,	$4,118 36
Nov.	24,	From sup't of common schools for Josephine Co	
"	"	In cash,	46 00
		Total Receipts from all Counties,	$16,688 17

ESTIMATE OF REVENUE FOR NEXT FISCAL YEAR.

NO.		AMOUNT.
1	Benton County,	$ 1,390 61
2	Clackamas "	1,352 43
3	Clatsop "	216 37
4	Columbia "	211 51
5	Curry "	120 20
6	Coos "	65 85
7	Douglas "	954 79
8	Jackson "	955 18
9	Josephine "	(*No returns.*)
10	Linn "	2,142 71
11	Lane "	1,548 64
12	Marion "	2,299 70
13	Multnomah "	2,043 58
14	Tilamook "	25 90
15	Umpqua "	441 10
16	Washington "	845 01
17	Wasco "	221 68
18	Polk "	2,007 80
19	Yamhill "	1,506 88
	Total,	$18,349 94

The following named counties were required by an act of the Legislative Assembly passed Jan. 28, 1857, to levy a tax in 1857 in addition to the one mill Territorial tax, sufficient to make good certain deficits

arising from their failure to levy one and a half mills in 1855, as required by law.

NO.			AMOUNT
1	Benton	County,	$466 00
2	Douglas	"	454 23
3	Jackson	"	500 24
4	Lane	"	427 57
5	Linn	"	920 72
6	Multnomah	"	581 28
7	Polk	"	545 76
	Total,		$3,895 80
	Making in all		$22,245 74

From this sum of $22,245,74, deduct the commission of County Treasurers at four per cent, and we have as the net income of the one mill Territorial tax, including the foregoing deficits for 1855, the sum of $21,355 92

The total amount of taxable property in the Territory for the year 1857, as returned to this office (exclusive of Josephine county, which was assessed in 1856 at $113,767,) amounts to $18,350,005, or a fraction over twelve per cent. increase on the amount returned last year.

ESTIMATE OF EXPENDITURES FOR NEXT FISCAL YEAR.

Salaries of two pilot commissioners,		$ 250 00
" " prosecuting attorneys,		1,800 00
" " treasury department,		1,700 00
" " expenses of penitentiary,		5,500 00
Total,		$9,250 00

It is impossible to calculate with any degree of accuracy the entire expenditures of the Territory for any succeeding year, owing to the fact that near one half of those expenditures depend on contingencies which cannot be foreseen.

AM'T OF APPROPRIATIONS PASSED BY LEGISLATIVE ASSEMBLY OF 1856–'57.

Relief of prosecuting attorney of 1st judicial district,	$ 250 00
Relief of Wiley Chapman,	1,250 00
Relief of Cox & Palmer,	300 00
Relief of James Ogle,	309 00
Relief of certain creditors of Territory,	478 00
Special appropriation to superintendent of penitentiary,	1,000 00
Total,	$3,587 00

Warrants have been issued to all the claimants under the foregoing appropriations.

A FULL AND DETAILED STATEMENT OF THE PUBLIC DEBT.

It is with much satisfaction that I am enabled to report that during the last fiscal year the current expenses of the Territory have been defrayed, an indebtedness of near $7,000 00 has been liquidated, and there is now in the Treasury a sufficient amount of revenue to pay all just demands against the Territory.

RECAPITULATION.

Amount remaining in Treasury at commencement of past fiscal year,	$ 6 06
Amount receeived in Treasury during past fiscal year,	21,802 05
Total,	$21,808 11
Amount paid out during said time, including interest on warrants, ($167 00),	$19,690 71
Balance in hands of Treasurer, Dec. 7, 1857,	$2,117 40
Total proceeds of sales of common school lands, during past year,	$16,688 17

I shall report to your Honorable Body, at an early day, a claim of Yamhill county for Territorial taxes assessed on real estate, in 1855 with reasons for declining to audit the same.

I shall also, at the same time, report claims for printing and publish-

ing rendered the Territory, and for the incidental expenses of the Librarian's and Auditor's offices, during the past year. These claims are omitted in my annual report, on account of its length, and because they are not necessarily a part of it.

In accordance with section 2nd of chapter 2nd of the act regulating the Treasury Department, I would respectfully suggest to your Honorable body the necessity of changing the time fixed by law for the payment of Territorial revenue by county treasurers from the first Monday in February to some time in May or June, and also to allow county treasurer's milage or some other fixed compensation for conveying the revenue of the Territory to the Capital.

In support of the above suggestion I would state that it is urged with a good deal of reason by those county treasurers remote from the Capital that it is frequently almost impracticable to travel at the time fixed by law for the payment of Territorial revenue The expenses of traveling, for which there is no provisions for compensation, together with the lack of facilities for the safe transmission of this fund, are converted into a somewhat plausible excuse for official delinquencies, on account of which heavy forfeitures are incurred by the delinquent.

Whether or not you may deem it advisable to provide a compensation to treasurers to meet their traveling expenses, yet I would think it highly advisable at least to allow more time to intervene between the date of the payment of taxes to county treasurers and their payment into the Territorial Treasury.

In relation to the act authorizing the sale of school lands, I would respectfully recommend the necessity of requiring Superintendents of Schools to give bonds to the Commissioners of their respective counties for the faithful discharge of their duties This suggestion is not made because it is known, or even presumed, that any of those officers have failed to discharge their duties faithfully; but the act referred to certainly contemplates that large sums of money may come into their hands to account for which it would be proper to exact bonds.

The law should also designate some officer of county or Territory, with whom Superintendents of Schools should make annual settlements of their accounts and by whom their claims for services should be audited. I have however audited the accounts of those Superintendents who have presented the same at this office under the presumption that it was my duty to do so; but from the vagueness of the law some Superintendents have concluded that they should be paid out of their county Treasuries, and others have concluded that it was their duty to retain

from the funds paid into the Territorial Treasury the amount due them for services, and have acted accordingly. An amendment in this, or some other respect, which will obviate these difficulties is certainly important.

By the act passed January 22d, 1857, making provision for protecting and taxing Chinamen mining in Oregon, it is provided that twenty per cent. of the revenue received from this source shall be paid into the Territorial Treasury; but it is not explicitly provided that county Auditors shall report to this office the amount of taxes collected from this source, in their respective counties, in consequence of which I have no means of ascertaining the amount of revenue due the Territory on this account. I would respectfully suggest that the act referred to be so amended as make it the express duty of county Auditors to append to the copies of their assessment rolls abstracts of the amount of Chinaman tax paid into their respective county Treasuries, during the preceding year, or some similar provision.

In relation to our penitentiary I would simply say, that the rapid increase in the number of convicts, and the bad policy of maintaining them in idleness, afford me still stronger reasons for repeating the suggestions made in my last annual report of the urgent necessity of providing at as early date as possible for working our convicts.

Although this object cannot be attained without considerable expense to the Territory at the outset, yet in a country where there is so great demand for labor as in ours, it would certainly be ultimately successful.

In relation to the fees of sheriffs for conveying convicts to the penitentiary I would suggest that it would afford the Auditor of the Territory much more facility for the correct adjustment of claims of this character if the rate of compensation for guards was fixed by law; and respectfully recommend some further legislation on this subject.

The foregoing are all the suggestions that occur to me as being important in relation to the fiscal affairs of the Territory, and are made with much diffidence, and a full appreciation of my inability to recommend matters of Legislation to your Honorable body.

Respectfully submitted,

B. F. BONHAM,

Territorial Auditor.

UNIVERSITY LAND COM'S REPORT.

To the Legislative Assembly of Oregon:

In accordance with the law creating the office of University Land Commissioner and defining the duties thereof, I beg leave to submit the following report:

Since the date of my last annual report I have found it necessary to perform but little official business. The duty of selecting the University lands had been brought very nearly to a close by my predecessor.—Nothing further has been done in this department during the past year, and as the minimum price per acre fixed by law seemed to forbid a sale, nothing remained for me to do, further than to see that the lands were not trespassed upon For this purpose, during the month of June last, I devoted some two weeks in endeavoring to make a personal examination of a portion of these lands Although I ascertained the fact of trespasses having been committed in several instances, yet in none could I learn who were the trespassing parties, with sufficient certainty to warrant the commencement of suit. It is by law made the duty of Grand Jurors to present by indictment persons trespassing upon or otherwise injuring these lands. As mentioned in my former report a list of the university lands within each county was filed with the clerks of the district courts of said counties to be furnished to the grand juries when in session; yet not a single indictment has been found. I cannot for a moment suppose that jurors have been regardless of their duty, but from the nature of the case, it is but very seldom that jurors can come into the possession of facts sufficiently definite to warrant the finding of a bill of indictment. I am unable to suggest any more effectual means of taking care of these lands than already provided

In view of these facts it is for you to determine whether the university fund will ultimately be more benefited by retaining these lands at the expense necessarily incurred in their care and preservation, taking into consideration the waste by trespass that it seems impossible to prevent, than by selling them at their present worth and putting the proceeds at interest until such time as it shall be deemed advisable to use them for the purpose designated by Congress.

In one instance of trespass the party committing the same, of his own choice, informed me of the fact, and as I became satisfied that the waste was but slight, and that the person acted upon the belief that the land was vacant and unclaimed, I made an amicable settlement of the damages on the receipt of ten dollars.

I have been applied to in some two or three instances by persons wishing to purchase lands at private sale. The law does not specify that the sales shall be made at public auction only; yet the general policy of the Territory, together with the practice of my predecessor, seemed to indicate that such was the intention of the Assembly; hence, I refused their request. And as I thought a sufficient amount could not be sold to warrant a public sale, no lands have been sold.

Under the act "to authorize and empower the University Land Commissioner to convey certain lands and lots in the Oregon City claim, in Clackamas county," passed January 17th, 1855, I have conveyed and confirmed, within the current year, title to one lot in said city, to Chas. M. Kester, upon the condition prescribed in said act At the same time, I was also applied to by the same party, for confirmation of title to lot No three, (3) in block No. sixty-nine, (69). Said lot is mentioned in an act passed January 29th, 1851, "to confirm title to certain lots in Oregon City." The condition of confirmation mentioned in said act is, that the purchase of said lots had been made from Dr. John McLaughlin in good faith, before the passage of the act of Congress, granting the Oregon City claim to the Territory; and subsequent to the 4th day of March, 1849. Said lot, although included in said act, is not one of that character, but was purchased subsequent to the 27th of September, A. D, 1850; as the original transfer from McLaughlin shows If the present claimant has any right in said lot, it can only have been obtained by the act of 29th of January, 1851, above referred to; he is certainly not entitled to title, under the act of January 17th, 1855. I, therefore, refused his request.

It is more than probable that title has already been confirmed to lots in Oregon City, in every meritorious case. I would, therefore, respect-

fully suggest the propriety of repealing the law of January 17th, 1855, above mentioned, as its continuance, upon the Statute Book, can do no good, and may be the means of wrong.

Since the date of my last annual report, I have endeavored to get up a suit, to determine the validity of the claim of the Territory to the "Oregon City Claim." But, as yet, have been unable to effect any thing, in consequence of disappointment, in one or two instances, by Attorneys employed as counsel, under the act authorizing the same.—By the death of the contestant, Dr. John McLaughlin, which occurred during the past summer, it now becomes more imperative upon the Territory to assert and maintain her rights to said claim.

For the present condition of the University fund, I would refer you to the reports of the Treasurer and Auditor, who, as a majority of the board, have had entire control of the same.

My money account, since the date of my last annual report, is as follows:

Oct. 22, To cash received for trespass,		$10 00
Sept. 24, " " " " Lot in Oregon City Claim,		5 00
Total,		$15 00
By cash deposited with Treasurer,		$15 00

All of which is respectfully submitted.

AHIO S. WATT,

University Land Commissioner, Oregon

REPORT OF SUPT. PENITENTIARY.

To the Honorable, the Legislative Assembly
of the Territory of Oregon:

In accordance with the provisions of an act to provide for the election and to define the duties of a Superintendent of the Penitentiary, passed by the Legislative Assembly at its last annual session, I hereby beg leave to lay before your honorable body the following report:

At the time of entering upon the duties of my office—February 24th, 1857—the exterior walls of the present wing of the Penitentiary had been erected but the building was without doors; and an appropriation having been made from the Territorial Treasury of one thousand dollars, I proceeded at once to the disbursement of said funds for the purpose of erecting the requisite number of doors, surveying the grounds belonging to the Penitentiary, and in procuring a suitable pump, and curbing the well. I also paid for three stoves which had been purchased by the last Board of Penitentiary Commissioners, the bills for which are on file in my office, and a schedule thereof attached to this report.

On the sixteenth day of July last I removed the convicts from the temporary building, formerly occupied, to the new building, and extended the yard fence, enclosing the entire east side of the building. It also became necessary, in consequence of the increased number of convicts to erect within the brick wing six (6) temporary wooden cells, the labor upon which was performed by the convicts. During the summer months I also employed the convicts in grading, fencing, and otherwise improving the Penitentiary grounds, and could have made their services far more available and useful, were it not for the fact of having but one keeper allowed by law, whose duties, of necessity, became so onerous as to preclude the possibility of working the convicts as often or as safely as I could have wished.

By the provisions of the act above alluded to, I was authorized to "sell iron doors or other property belonging to the Penitentiary, ascertained to be useless," and for that purpose I caused to be printed and forwarded to the County Commissioners of every county in this and Washington Territories, circulars, stating the weight, size and full description of the iron doors for sale, but as yet have received no written propositions for their purchase.

The number of convicts having so rapidly increased within the last year (from 7 to 18 in seven months,) that it became absolutely necessary to procure the services of an Assistant Keeper; I accordingly employed one, who commenced his labors on the first day of November last.

By the act which governs me in my duties, there is no provision made for employing or defraying the expenses of an Assistant Keeper, but inasmuch as it was utterly impossible and unsafe longer to delay so doing, I deemed it my duty to act in the premises as the urgency of the case required, and I would therefore pray your Honorable Body to take such action as will secure him suitable compensation, and also to provide some means whereby the Superintendent may be authorized to procure the services of additional Assistant Keepers, if they should be found necessary in future. There are six (6) stone, and six (6) temporary wooden cells in the present wing; they are all occupied, and in order to accommodate the eighteen (18) convicts, the keeper has been obliged to place two in a cell. It will be obvious therefore to your honorable body that some provision should be made in order to procure means for the erection of additional cells, as the placing of more than one convict in a cell, is neither conducive to health, cleanliness or safety.

Previous to the departure of our delegate to Congress, I laid before him a report of the condition of the Penitentiary building, and urged upon him the necessity of procuring an additional appropriation for the completion of the cells in the present wing.

I deem it my duty before closing this report to attest to the efficiency and ability of the present keeper, Mr. C. A. Pickett. His treatment of the convicts has ever been uniform, and in the discharge of his hazardous duties he has proved himself eminently qualified to fill the position he occupies.

During the past year the number of convicts in the Penitentiary has increased from eight (8) to eighteen (18) during which time two (2) have been discharged, one (1) pardoned, and fourteen (14) admitted; died, none—escaped, one. Leaving at present in custody seventeen males and one female.

The expenses incurred in the government of the prison during the same period has been as follows:

Salary of Superintendent and Keeper,	$1,600 00
Board and Clothing of Convicts, Including Tin Ware, Bedding, &c.,	2,085 87
Medicine and Medical Attendanee,	360 50
Total amount,	$4,045 37

All of which is respectfully submitted.

JOSEPH SLOAN,
Superintendent Oregon Penitentiary.

Portland, Oregon, Dec. 8, 1357.

Statement of the Disbursement of the Appropriation of one thousand dollars, made by order of the Legislative Assembly, at its Session of 1856–'7, for the purpose of procuring doors, surveying the Penitentiary grounds, furnishing the necessary number of stoves, procuring a pump and walling the prison well:

Amount of appropriation,		$1,000 00
By cash paid Seymour & Joynt for stoves,	$302 75,	
" " Hallock & McMillen for materials furnished and labor performed in erecting doors,	510 12,	
Cash paid do. for one force-pump, &c.,	40 00,	
" " Hallock for surveying and plotting Penitentiary grounds,	10 00,	
" " Ingalls & Lacy for bolts and fastenings for doors,	10 00,	
" " W. P. Abrams for lumber for well,	19 00,	
" " For one keg of nails,	6 50,	
" " " printing circular for sale of doors	7 00,	
Balance on hand,	94 73,	
		$1,000 00

JOSEPH SLOAN,
Sup't Oregon Penitentiary.

MESSAGE.

EXECUTIVE OFFICE, SALEM, Dec. 15th, 1857.

To the Council and House of Representatives of Oregon Territory:

In accordance with the third section of the law providing for the erection of the Public buildings, I have the honor to submit the subjoined report of the disbursements and condition of the fund appropriated by Congress for such purposes.

Balance unexpended, as reported on December 10th, 1856, $4581 76

Date of Draft.	*In Whose Favor.*	*Amount.*	
Dec. 15, 1856,	Cox & Palmer,	$192 00	
Dec. 19, 1856,	Cha's Bennett, deceased,	125 00	
Feb. 10, 1857,	Wilie Chapman,	120 00	
Jun. 5, 1857,	Wm. H. Rector,	1368 00	
Sept. 24, 1857,	Wm. H. Rector,	1372 50	
Balance in my hands.		1404 26	$4581 76

Remaining in the Treasury of the U. S. $17000 00

Respectfully submitted,

GEO. L. CURRY.

TREASURER'S REPORT.

DECEMBER 7th, A. D., 1857.

To the Honorable the Legislative Assembly of the Territory of Oregon:

In accordance with law, the Treasurer of said Territory begs leave to submit the following Report, showing the condition of the Treasury, for the fiscal year, beginning December 6th, 1856, and ending December 7th, 1857:

Balance due at date of last annual report,	6 06
Received from the Treasurer of Benton county,	
for the year 1855,	17 31
" " " 1856,	1,187 49
	$1,205 00
Received from the Treasurer of Curry county,	
for the year 1857,	113 90
Received from the Treasurer of Clackamas county,	
for the year 1855,	120 23
" " " 1856,	1,326 83
	$1,447 06
Received from the Treasurer of Clatsop county,	
for the year 1855,	23 85
" " " 1856,	324 76
	$348 61
Received from the Treasurer of Columbia county,	
for the year 1856,	204 11

Received from the Treasurer of Coos county,	
for the year 1856,	$66 65
Received from the Treasurer of Douglas county,	
for the year 1854,	$ 581 90
" " " 1855,	246 57
" " " 1856,	559 00
" " " 1857,	1,352 66
	$2,740 13
Received from the Treasurer of Josephine county,	
for the year 1856,	$155 34
Received from the Treasurer of Jackson county,	
for the year 1855,	$ 16 30
" " " 1856,	914 38
	$930 68
Received from the Treasurer of Linn county,	
for the year 1856,	$1860 00
Received from the Treasurer of Lane county,	
for the year 1856,	$1,467 66
Received from the Treasurer of Multnomah county,	
for the year 1856,	$1,535 81
Received from the Treasurer of Marion county, O. T.	
for the year 1856,	$2,090 46
" " " 1857,	2,289 07
	$4,380 53
Received from the Treasurer of Polk county, O. T.	
for the year 1856,	$1,955 00
" " " 1857,	1,200 00
	$3,155 00
Received from the Treasurer of Tilamook county,	*nothing*
Received from the Treasurer of Umpqua county,	
for the year 1856,	$402 15
Received from the Treasurer of Washington county,	
for the year 1856,	$178 52

Received from the Treasurer of Wasco county,	
for the year 1854,	$ 78 57
" " " 1855,	80 37
" " " 1856,	150 38
	$309 32
Received from the Treasurer of Yamhill county,	
for the year 1856,	$1,301 58
Total amount,	$21,808 11

AMOUNT PAID OUT ON TERRITORIAL WARRANTS:

Dec. 8, 1856,	Paid Wm Neal, on order No. 127,	$ 59 00
" " "	Jacob Hannah, per order 160,	135 00
" " "	" " " " 42,	157 50
" " "	Geo. K. Sheil, per order No. 41	250 00
" " "	Andrew Hood, per order No. 150,	120 00
" " "	A. D. Shelby, as per order No. 2,	78 50
" " "	Joseph Sloan, per order No. 3,	9 00
" 9, "	City of Portland, per order No. 125,	600 00
" " "	Finice Caruthers, per order No. 163,	138 67
" 11 "	Joseph Church, per order No. 45,	383 26
" " "	A. B. Roberts, per order No. 52,	300 00
" " "	B. F. Harding, per order No. 54,	100 00
" " "	Wm. Barlow, per order No. 1,	25 50
" " "	Lewis Love, per order No 142,	31 62
" 19 "	Richard Hoyt, per order No. 25,	250 00
Jan. 1, 1857, "	B. F. Bonham, per order No. 61,	150 00
" 7 "	R. B. Wilson, per order No. 69,	50 00
" " "	Joseph Sloan, per order No. 46,	667 86
	Interest on the same,	75
" " "	C. A. Pickett, per order No. 31,	150 00
" " "	" " " " " " 48,	150 00
" " "	Joseph Sloan, per order No. 67,	58 00
" " "	C. A. Pickett, per order No. 68,	150 00
" " "	Geo. K. Sheil, per order No. 60,	250 00
" " "	Interest on the same,	1 40
" 9 "	Smith & Davis, per order No. 70,	17 00
" 13 "	R. E. Stratton, per order No. 62,	150 00

Jan.	15	1857	Paid	P. A. Markum, per order No. 53,	$ 152 78
"	"	"	"	Interest on the same,	1 00
"	22	"	"	Luke Taylor, per order No. 132,	356 00
"	"	"	"	Interest on the some,	1 50
"	24	"	"	George W. Logan, per order No. 176,	315 00
"	"	"	"	Interest on the same,	3 00
"	"	"	"	Egbert B. Grander, per order No. 128,	285 00
"	"	"	"	Interest on the same,	1 38
"	28	"	"	G. W. Vaughn, per order No. 65,	32 75
"	"	"	"	Interest on the same,	25
"	29	"	"	John W. Starr, per order No. 75,	46 50
"	30	"	"	Joseph Sloan, per order No. 29,	756 46
Feb.	5	"	"	B. F. Bonham, per order No. 73,	95 00
"	6	"	"	Thomas Scott, per order No. 35,	412 00
"	"	"	"	Interest on the same,	5 75
"	"	"	"	For seal for weights and measures,	5 00
"	9	"	"	James Ogle, per order No. 76,	309 00
"	"	"	"	Interest on the same,	1 00
"	10	"	"	Joseph Sloan, per order No. 81,	17 50
"	"	"	"	" " " " 66,	702 95
"	"	"	"	Interest on the same,	6 00
"	"	"	"	C. A. Pickett, per order No. 80,	150 00
"	"	"	"	Treasurer of Multnomah county, per order No. 39,	143 80
"	"	"	"	Asahel Bush, per order No. 72,	267 00
"	"	"	"	Interest on the same,	2 75
"	"	"	"	George K. Sheil, per order No. 64,	250 00
"	"	"	"	Interest on the same,	2 50
"	12	"	"	S. Huelat, per order No. 32,	15 62
"	14	"	"	George Flavell, per order No. 63,	125 00
"	"	"	"	Interest on the same,	1 40
"	23	"	"	C. C. Godley, per order No. 36,	128 28
"	"	"	"	Interest on the same,	2 08
"	"	"	"	Wiley Chapman, on order No. 77,	402 09
M'ch	10	"	"	" " balance on order No. 77,	848 00
"	"	"	"	Interest on the same,	5 25
"	11	"	"	C. C. Godley, per order No. 30,	34 50
"	16	"	"	P. D. Palmer, per order No. 78,	300 00
"	"	"	"	Interest on the same,	3 50
"	17	"	"	Frederick Kitcher, per order No. 129,	237 06

M'ch 17	1857	Paid	Interest on the same,	$ 4	94
" "	"	"	Wm. L. McUning, per order No. 71,	250	00
" "	"	"	Interest on the same,	1	50
Apr. 1	"	"	B. F. Bonham, per order No. 85,	125	00
" "	"	"	J. D. Boon, per order No. 86,	85	11
" 8	"	"	James Berk, per order No. 84,	8	00
" 14	"	"	Joseph Sloan, per order No. 79,	737	86
" "	"	"	Interest on the same,	7	84
May, 6	"	"	Oregon Weekly Times, order No 74,	116	00
" "	"	"	Interest on the same,	2	50
" 15	"	"	J. L. Brumley, per order No. 87,	251	75
" "	"	"	Interest on the same,	3	00
June 5	"	"	Joseph Sloan, per order No. 83,	1,000	00
" "	"	"	Interest on the same,	21	25
" 10	"	"	Thomas Pygle, per order No 92,	259	75
" 11	"	"	R. E. Wiley, per order No. 58,	15	20
" "	"	"	Interest on the same,		50
" "	"	"	R. E. Wiley, per order No. 57,	319	50
" "	"	"	Interest on the same,	10	64
" "	"	"	R. E. Wiley, per order No. 51,	136	50
" "	"	"	Interest on the same,	4	55
" 24	"	"	Wm. Tichner, per order No. 93,	125	00
" "	"	"	Interest on the same,	1	65
July 1	"	"	Geo K. Sheil, per order No. 95,	250	00
Aug 13	"	"	B. F. Bonham, per order No. 103,	125	00
Sept 14	"	"	David Cosper, per order No. 82,	114	00
" "	"	"	Interest on the same,	6	35
" 28	"	"	C. A. Pickett, per order No. 90,	130	00
" "	"	"	Interest on the same,	5	48
Oct. 15	"	"	B. F. Bonham, per order No. 112,	125	00
" 16	"	"	Geo. K. Sheil, per order No. 113,	20	00
" 22	"	"	W. G. T'Vault, per order No. 88,	150	00
" "	"	"	Interest on the same,	7	50
Nov 2	"	"	C. A. Pickett, per order No 19,	419	06
" "	"	"	Interest on the same,	22	29
" "	"	"	Joseph Sloan, per order No. 89,	250	00
" "	"	"	Interest on the same,	11	06
" "	"	"	Smith & Davis, per order No 116,	40	50
" "	"	"	Joseph Sloan, per order No. 114,	250	00

Nov.	2	1857	Paid	C. A. Pickett, per order No. 117, -	$ 459 99
"	"	"	"	" " " " " " 118,	191 33
"	"	"	"	" " " " " " 115,	150 00
"	"	"	"	S. B. Fargo, per order No. 119,	114 00
"	19	"	"	B. F. Harding, per order No. 94,	100 00
"	"	"	"	Interest on the same,	5 00
"	"	"	"	Thomas Pyle, per order No. 96,	286 00
"	"	"	"	Interest on the same,	9 50
"	"	"	"	R. E. Stratton, per order No. 97,	150 00
"	"	"	"	Interest on the same,	4 50
"	"	"	"	Seymour & Joynt, per order No. 104,	98 10
"	"	"	"	Interest on the same,	2 50
Dec.	2	"	"	James Hendershott, per order No. 120,	932 50
"	3	"	"	N. A. Cornoyer, per order No. 121,	83 00
"	"	"	"	Treasurer's per cent. for receiving $21,808 71, at two per cent.,	436 16
				Also, for paying out $19,690 71,	393 80
				Total amount paid out,	$19,690 71

December 7th, 1857, Total amount of Territorial funds received in the Treasury during the last fiscal year, and in the Treasury, stands thus, $21,808 11

December 7th, 1857, Total amount paid out on Territorial Warrants during the fiscal year 1857, stands thus, $19,690 71

Amount in the Treasury, 2,117 40

There are yet standing out unpaid two thousand dollars, which have all been advertised, and the money is in the Treasury to pay said warrants; beside those warrants I know of no others unpaid.

All of which is respectfully submitted,

This 7th day of December, A. D. 1857.

J. D. BOON,

Territorial Treasurer.

COMMON SCHOOL FUND.

The following is a correct report of the present financial condition of the Common School Fund of this Territory:

Amount in the Treasury, December 6, 1856, at last report, in notes, secured by mortgage on real estate,		$13,875 27
1857.		
Apr. 14, Received from W. H. Spencer, superintendent of common schools, in and for Umpqua Co., O. T.,		
in notes for common school lands,	262 20	
Interest on said notes, in cash,	13 12	
Also, in cash,	39 40	
Sept. 16, Received from W. H. Johnson superintendent of common schools, in and for Benton Co, O. T.,		
in notes secured by mortgages,	120 00	
Interest on said notes,	6 00	
Also, in cash,	40 00	
Sept. 16, Received of J. D. Post, superintendent of common schools for Clackamas county, O. T.,		
in notes,	1,582 50	
Interest on said notes for six months,	79 13	
In cash,	455 50	
Sept. 18, Received from B. F. Bonham, superintendent of common schools of Marion county, O. T.,		
In notes, for common school lands,	7,006 92	
Interests for six months, on said notes,	350 34	
Also, in cash,	2,335 64	
Sept. 23, Received from D. M. Risdon, Sup't of Common Schools of Lane county, O. T.		
In notes for common school lands,	$2,901 80	
Interest on said notes,	249 30	
" in cash,	967 26	
Oct. 6, Received from B. F. Bonham, Sup't of Common Schools of Marion county, O. T.		
In notes for common school lands,	$168 48	
Interest on said notes,	8 42	
Also in cash,	56 16	

Nov. 21,	Received from J. G. Spear, Sup't of Common Schools of Josephine county, O. T.	
	In cash for common school lands,	$ 46 00
	Also interest for money loaned out of the Treasury during the last fiscal year,	1,100 78
	Total,	$31,664 19

The Treasurer is charged with thirty-one thousand six hundred and sixty-four dollars and nineteen cents, until we deduct amount paid out on warrants:

Feb. 13,	Paid Silas Newcomb, Sup't of Common Schools of Benton county for 1856,	$ 10 20
Sept. 16,	" W. H. Johnson, Sup't of Common Schools of Benton county for 1857,	21 00
" 19,	" B. F. Bonham, Sup't of Common Schools of Marion county, O. T.	113 75
" 23,	" D. M. Risdon, Sup't of Common Schools of Lane county, O. T.	86 50
" "	" " " order No. 111,	124 50
	Paid Treasurer per cent for receiving $17,888 96, at two per cent,	333 78
	Paid Treasurer per cent for loaning out of the treasury $4,496 00, and taking eleven mortgages on real estate,	54 95
	Paid Treasurer for receiving $1,100 75, interest and re-loaning the same, secured by mortgages,	33 00
	Total—Expenses and orders paid,	$768 09
	Leaving now in the Treasury due the Common School Fund In notes secured by mortgages on real estate at ten per cent per annum,	$30,896 10

Thirty thousand eight hundred and ninety-six dollars and ten cents.

Respectfully submitted,

J. D. BOON,

Treasurer.

UNIVERSITY FUND.

The following is a true statement of the University Fund of the Territory:

1857.			
Dec, 7,	On hand, in the Treasury, Dec. 6th, 1856, at last report, in notes secured by mortgages,	4,901 61	
	Received interest on said notes,	536 35	
	Total amount,		$5,437 96
Dec. 18, 1856,	Paid Ahio S. Watt, order No. 59.	85 00	
Jan. 7, 1857,	" N. Huber, balance on order No. 38,	165 00	
" " " "	" " " " " " 50.	65 00	
" " " "	Loss on California coin,	3 00	
Dec. 3, — " "	Treasurer's per cent. for receiving $536 35, interest and loaning the same,	21 46	
" " " "	Treasurer for receiving on notes, charged as above, and reloaning the same.		
	Received and loaned $2500, at four per cent.	100 00	
	Total paid out,		$439 45
Now remaining in the Treasury of the University fund in notes secured by mortgages on real estate, this sum			$4,998 51

All of which is respectfully submitted.

J. D. BOON,
Territorial Treasurer.

December 7th, A. D. 1857.

PENITENTIARY—REPORT.

Mr. SPEAKER: Your committee to whom was entrusted the duty of visiting the Penitentiary at Portland, for the purpose of enquiring into the propriety of constructing additional cells for the better securing the convicts, and also such other improvements as are necessary in and about the Penitentiary, as well as to devise some system for working the convicts, by which it may be made a self-sustaining institution, or at least the expense to the Territory rendered as light as possible, ask leave to submit the following report:

Your committee find, upon investigation, that there are, now in the Penitentiary, eighteen convicts, and only six cells completed which afford any degree of security, with six temporary wooden cells, which have been constructed by the convicts under the control of the keeper.

Therefore your committee deem it highly important that some step should be taken immediately to complete the fourteen additional cells, which occupy the basement tiers, the iron doors for which cells are now on hand, and some of the cells have been commenced, but owing to a want of funds remain in an unfinished state.

And in view therefore of the present insecure condition of the prison, yonr committee are strongly impressed with the belief that the fourteen cells above refered to should be completed as soon as possible, for at present there are no less than eighteen convicts in the Penitentiary, and under the operation of our criminal laws, if carried out with that rigor, in the suppression of crime, that the safety of persons and property require, we may expect that the number of convicts will gradually but steadily be increased.

As to the most practicable way to complete the cells required, and

make such other improvements in and about the prison, as may be necessary, your committee would recommend, for the consideration of the members of the Legislature, that the Superintendent of the Penitentiary be instructed and authorized to let to the lowest responsible bidder or bidders the contract for furnishing, on the Penitentiary grounds, a sufficient quantity of good and substantial building stone and such other material as may be necessary to make the improvements required.

Your committee are of the opinion that, when the material is furnished on the Penitentiary grounds for constructing cells and making such other improvements as may be necessary in and about the prison, with the assistance of a practical stone-cutter to lay off the work and superintend it, the convicts can perform all the labor that will be necessary in such improvements.

Your committee are informed that among the convicts there is one practical machinist, and such being the case, it is believed that by purchasing a set of blacksmiths' tools, and such other articles in that line as are necessary, the convicts may be required to manufacture such tools as they will need for use in any employment that they will probably be engaged in for the next two or three years; and it is thought by your committee that blacksmithing will be one of the most profitable branches of business that can be carried on by convict labor.

The cost of material delivered on the Penitentiary ground, from the best information your committee have been able to obtain, for building cells, and constructing a sewer, which your committee consider necessary, together with a set of blacksmith tools, with a small quantity of iron and steel, out of which to construct tools, will not vary very far from the following figures:

Cut stone, 400 perches, at $12 per perch,	$4,800 00
Cement, 30 bbls., at $6 per bbl.,	180 00
Sand, 500 bushels, at 7 c'ts per bush.,	35 00
Stone for sewer 100 feet long and 2 feet in width, 70 perch, at $7 per perch,	490 00
One set of blacksmith's tools,	200 00
Iron and Steel for use,	100 00
The whole amount of the above added together will make	$5,805 00
To the above add for stone hammers,	30 00
For stone cutter to lay off and superintend the work, at $130 per month for four months,	520 00
Which last two items of expense being added to the above make	$6,355 00

Your committee for a twofold reason deem it a matter of the highest importance that the convicts should be worked.

1st.—To answer the end of the institution of the penitentiary system, which has for its object, by way of punishment, the working of the convicts as well as their imprisonment.

2nd—To make the revenue arising from the labor of the convicts defray the expenses incurred by their imprisonment.

But your committee are of the opinion that, before any *permanent* system of manufacturing by the convicts can be established, it will be necessary to have workshops built, and the prison grounds enclosed by a high, strong wall for their security, after which your committee are of the opinion that the convicts may be, many of them, profitably worked at blacksmithing, shoe-making, coopering and wagon-making.

But, at present, your committee are of the opinion that a large portion of the convicts can be best and most profitably worked at cutting stone and making brick, and would therefore recommend, as a course attended with the least expense to the Territory, by which workshops can be built, and the prison grounds walled in, that a sufficient guard be placed over the convicts, and then employ them in making brick. With the brick thus made by the labor of the convicts, workshops can be built and the Penitentiary grounds walled in, all of which work, in the opinion of your committee, may be, with the assistance of a practical mason, performed by the prisoners.

It must be evident to all that these are improvements that will be necessary sooner or later, and if made by convict labor there will be a saving to the Territory or future State of many hundreds of dollars.

Your committee are of the opinion that Portland will afford a ready market for all the brick that can be thus made for sale, and further your committee think they hazard little in saying that the strong probability is, that brick, as a building material, will be in greater demand every successive year in a town improving as rapidly as Portland.

Hence your committee are of the opinion that the profits thus derived from the sale of brick will be amply sufficient to defray the expense incurred by such additional guard as it may be necessary to employ.

Your committee would further recommend that the superintendent be authorized to employ one or more assistant keepers, as the case may require.

Your committee would further recommend that the superintendent be instructed to purchase, on the best terms he can, from the owner all the

land embraced in fractional Block No. 106, in the town of Portland, and now occupied by a portion of the Penitentiary building; the whole of said land being about one full lot; as per survey by the City Surveyor, as ordered by the last Legislature, that being the only land occupied by the Penitentiary building, to which the Territory has no title.

Your committee would recommend as the best and only proper way to raise the revenues to meet the expenditure that will be necessary in the improvements upon the Penitentiary, that there be an additional half mill on the dollar levied for Territorial purposes, which funds thus raised can be applied to Penitentiary purposes.

Your committee were well pleased with the system of discipline that prevails in the prison, and cannot close this report without expressing their full satisfaction in the competency of the officers and their management of the institution.

A. M. BERRY,
N. H. CRANOR,
N. H. GATES,
Committee

Dated January 5, 1858.

AUDITOR'S REPORT.

To the Honorable the Legislative Assembly of the Territory of Oregon:

In compliance with law, I herewith submit the following report:

The claim of Yamhill county, for the sum of $1,038 82, as Territorial revenue, alledged to have been assessed on real estate, in 1855, has not yet been allowed. An act was passed last winter to revive the original act of the preceding winter, passed for the relief of Clackamas, and other counties, in order to allow the Auditor of Yamhill county an opportunity of presenting at this office, further evidence of the justice of said claim; but no further evidence has been adduced, in consequence of which I declined to act further in the premises, for the reasons alledged in my annual report for the year ending Dec. 6th, 1856.

This sum claimed by Yamhill county, has not been paid into the Territorial Treasury, and in consequence they only ask for a certificate from this office, that they are entitled to the same.

I deem it of interest to Yamhill county, and the Territory, that this claim should be settled, and would suggest the propriety of determining the matter by a special act of your Honorable Body, and thereby avoid the expense of litigation.

The following claims have been presented at this office for advertising and for newspapers furnished the Library.

Editor of "Oregon Statesman,"	$141 00
" " " Weekly Times,	10 50
" " " Sentinel,	60 50
Total,	$212 00

I have not reported the claims for publishing the Constitution, deem

ing it an expenditure that does not properly come within the duties of this office; and for the further reason that it will be much more convenient to make a general appropriation to cover the whole expenses of Convention at the same time.

A claim has been presented, by F. S. Hoyt, for expenses incurred, as Librarian, in 1855, for the sum of $10 00.

A claim has been presented, by R. B. Wilson, M. D., for medical services rendered Penitentiary convicts, for the sum of $25 00.

The total incidental expenses of the Librarian's and Auditor's Offices during the past year, for putting up new shelves, procuring furniture, light, fuel, stationery, &c., amount to the sum of $172 15.

I hereunto append the accounts, in detail, on which the foregoing claims are based, and respectfully recommend them to your favorable consideration.

Respectfully submitted,

B. F. BONHAM,
Territorial Auditor.

TERRITORIAL AUDITOR'S OFFICE,
Salem, O. T. Jan. 5, 1858.

TERRITORY OF OREGON,

To ASAHEL BUSH, DR.

To.	Seventh Volume of "The Oregon Statesman," newspaper, addressed "Library,"		$ 5 00
Dec.	23, 1856,	To one year's insertion of notice of judges of Supreme Court, of times of holding court in the 3d judicial district,	12 00
"	" "	To ditto, for 1st and 2d districts,	12 00
"	" "	To three insertions of notice of appointment of clerks in 1st district,	5 00
"	30 "	To publication of census returns of Clackamas county—two squares,	6 00

Feb. 3	1857,	To four insertions of notice of Territorial Treasurer, to county treasurers—two squares,	12 00
" 17	"	To publication of census returns of Josephine county, for 1856,	3 00
April 7	"	To three insertions of Auditor's notice to county treasurer—two squares,	10 00
" 14	"	To three insertions of Secretary's notice, concerning distribution of "Laws and Journals."	5 00
" 21	"	To notice of courts in 1st judicial district —three insertions,	5 00
May 20	"	To 1,000 cards for Library,	15 00
July 7	"	To one insertion of abstract of Convention vote—four squares,	12 00
Aug. 18,	"	To insertion of notice concerning courts— three months,	8 00
Sept. 29	"	To eight insertions of notice of judge Williams' courts,	7 00
			$117 00
Sept. 27,	1857,	To three insertions of notice of Territorial Treasurer to order-holders,	5 00
			$122 00
Nov. 17,	1857,	To ditto,	5 00
Feb. 8,	"	To ditto,	5 00
			$132 00
Dec. 22,	1857,	To advertising proclamation of Governor, declaratory of the result of vote upon Constitution—three squares,	9 00
			$141 00

PORTLAND, OREGON, December 5, 1857.

TERRITORY OF OREGON,

To "OREGON WEEKLY TIMES," Dr.

July 11, 1857,	For advertising abstract of votes for and against Constitution—four squares, one week,	$ 8 00
Sept. 26, "	For the "Times," furnished Territorial Librarian from June 1, 1857, to June 1, 1858,	2 50
		$10 50

TERRITORY OF OREGON,

To W. G. T'VAULT, Proprietor of "THE OREGON SENTINEL," Dr.

June 17, 1856,	To advertising abstract of vote for and against Convention—four squares, one time,	$ 12 00
July 26, 1856,	To advertising abstract of vote for seat of government, four and one-half squares, three times,	22 50
" " "	To advertising proclamation for special election, seat of government, two squares eleven times,	26 00
		$60 00

TERRITORY OF OREGON, } SS.
County of Jackson, }

Alexander Blakely, being duly sworn, says, that the advertising and charges in the above and foregoing bill was done as charged, and the

prices charged are the usual prices charged to persons advertising in the columns of the "Sentinel."

ALEX. BLAKELY.

Subscribed and sworn to before me this 9th day of December, A. D., 1857, as witness my hand and Notarial Seal.

[L. S]

WM. HOFFMAN,
Notary Public Jackson Co., O. T.

TERRITORY OF OREGON,

To F. S. HOYT, Dr.

To cash paid carpenters for removing and fitting up Library shelves in December, 1855, as per Resolution of Legislative Assembly, $10 00

PORTLAND, OREGON, November 1, 1857.

TERRITORY OF OREGON,

To R. B. WILSON, M. D., Dr.

For professional attendance to convicts at penitentiary, as follows, from Aug. 1st to date:

Oct. 12, 1857,	For visit and prescribing to Fitzgerald,		5 00
" " "	" " "	" Finn,	5 00
" 15 "	" " "	" Fitzgerald,	5 00
" " "	" " "	" Finn,	5 00
" 15 "	" " "	" Stewart,	5 00
			$25 00

Received payment, by warrant on Territorial Treasurer.

R. B. WILSON.

TERRITORY OF OREGON,
Multnomah County.

R. B. Wilson, being first duly sworn, says that the within account is just and correct, that the services were actually performed, and that the same nor no part thereof has been paid.

R. B. WILSON.

Subscribed and sworn to, before me this 26th day of November, A.D., 1857.

JAS. W. DAVIS,
Clerk 2d Judicial Dist. Court.

AUDITORS AND LIBRARIAN'S OFFICE, O. T.

IN ACC'T WITH W. K. SMITH & CO.

Feb. 6,	1857,	To	1 Record Book, 8 qrs., at 75 cents,	$ 6 00
" "	"	"	1 Day " 6 qrs., at 75 cents,	4 50
" 24	"	"	1 ream Congress cap,	7 50
" "	"	"	half ream " extra,	4 38
" "	"	"	" " letter paper,	2 50
" "	"	"	three pen-holders, at 25 cents,	1 00
" "	"	"	sand-box, at 50 cts, 4 boxes wafers at $1,	1 50
" "	"	"	4 pencils, —, blotting paper, at 62½ cts,	1 13
" "	"	"	1 ivory paper-folder, at 50 cents,	50
" "	"	"	6 pkgs envelopes, $1 50, 2 do. legal, $1,	2 50
" "	"	"	1 Draper's patent inkstand,	2 50
" "	"	"	1 box candles, 10,	10 00
" "	"	"	2 doz boxes matches, at 75 cts,	1 50
" "	"	"	1 dust brush $1 25,	1 25
" "	"	"	3 boxes black sand, at 25 cts,	75
" "	"	"	1 large water pitcher,	2 50
" "	"	"	1 glass tumbler, at 37½ cts,	38
" "	"	"	2 spittoons, at $1 50,	3 00
Ap'l 25	"	"	gum arabic 50 cts, broom, 75 cts,	1 25
" "	"	"	paste brush, 50 cts, qr. st. bottle, 37½ cts,	88
May 8	"	"	2 doz. boxes matches, at 75 cts,	1 50

May 21	1857	To	3 ozs gum arabic, at 25 cts,	$ 75
" "	"	"	isingglass, 25 cts,	25
				$58 02
Aug. 13	"	"	4 bunches envelopes, at 25 cts,	1 00
" "	"	"	1 paper folder 50 cts,	50
" 25	"	"	2 doz. boxes matches, at 75 cents,	1 50
Sept 25	"	"	4 qrs. cap paper, at 50 cts,	2 00
Oct. 12	"	"	1 gross matches, $3,	2 00
" "	"	"	isinglass Russian,	50
" "	"	"	one-quarter gum arabic,	1 50
				$10 00
				$68 02
Nov. 11,	1857,	To	Bottle Ink,	$ 63
				$68 65
Dec. 1,	1857,	To	half ream super. cap paper,	3 50
Jan. 4	1858,	To	one box (20 lbs,) candles,	9 00
			Total,	$81 15

SALEM, O. T., November, 7 1857.

TERRITORY OF OREGON,

To W. S. BARKER, Dr.

March 3,	To	shelving for Library,		$20 00
" "	"	steps and putting on lock,		2 00
" "	"	1 table,		10 00
" "	"	7 chairs,		17 50
" "	"	8 paper sticks and frames,		4 00
May 19	"	rollers to 10 maps,		10 00
				$63 50

SALEM, February 28, 1857.

TERRITORY OF OREGON,

To J. B. & M. HIRSCH, Dr.

To 16 yds Merino furnished for the Library, for window curtains, at 75 cents per yard,	$12 00
For tape and thread,	50
	$12 50

TERRITORY OF OREGON,

To B. F. BONHAM Dr.

July, 1857, To three cords of wood furnished library during fiscal year ending Dec. 7th, 1857,	$15 00

SALEM, Dec. 7th, 1857.

PILOT COMMISSIONERS' REPORT.

To the Honorable, the Legislative Assembly
of the Territory of Oregon:

We, the board of Pilot Commissioners appointed by your Hon. body in pursuance of an act passed Jan. 1856, "for the establishment of a pilotage on the Columbia and Willamette Rivers, would ask leave to make the following report, viz:

Your commissioners have visited the Columbia River and bar a number of times the past year, and found everything in good order, and a sufficiency of pilots for the business of the Columbia River at the present time, and all that the business will support, and fully meeting the expectation of your Hon. body, as far as that law anticipated, and effecting all that any law could, embracing the principles contained in it, but if conducted upon other principles would effect more and increase the commerce of the River to double (if not thribble) the amount of what it has been during the last years, or ever before. These principles we beg leave to suggest for your consideration. We would recommend that a law be passed granting a salary to each and every pilot upon the Columbia River bar, and that the boat or boats be owned by the Territory, for the following reasons:

1st. The Columbia River has to labor under one of the greatest disadvantages that commerce has to contend with, in the charges attendant upon the navigation of the river, for whereas, Puget Sound has no pilots, and requires none, the Columbia does, and cannot be navigated without them. This gives the Sound the advantage of all those charges, and presents a great inducement for vessels to go there for cargoes although they go there in ballast, whereas those entering the Columbia, generally have full cargoes, inward bound. They cannot carry lumber

out, as the freights will not justify them in carrying cargoes of that character, but must seek a cargo of produce to enable them to meet the expenses attendant upon the navigation of the river.

The question will be asked by some, is not the timber and lumber upon the Columbia of as good a quality as that of the Sound? We would answer in the affirmative, and some of it far better, but the freight upon is so much greater that it will not justify the manufacturer to manufacture it, and therefore a number of the mills on the Columbia, are unemployed, and going to ruin.

The State most prosperous is the State that avails itself of all its resources, and this course must Oregon pursue, as she has but a limited amount of agricultural land, and a large portion of timber.

We are compelled to pay the pilot indirectly, (as we have to pay the ships that navigate our river) by paying high freights, and every person who wears a shirt, or uses sugar, tea, coffee, or any of the necessary luxuries of life, had to assist in paying the pilots, by paying freights. The old argument of the tariff is applicable in this place. "The consumer is the one who pays." We believe the course we recommend would be promotive of the greatest good, and place our lumber dealers in fair competition with those on any part of the coast.

We append below the amount of commerce as near as possible, which you can compare with that of the last year, and we submit the above suggestions for your wise consideration:

Arrivals, 116; cargoes assorted merchandise.

Departures, 118; cargoes lumber and produce.

GEORGE FLAVEL,
WILLIAM TICHENOR.
Commissioners.